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The

Australasian Catholic Record

A Quarterly Publication under Ecclesiastical Sanction

"Pro Ecclesia Dei." *St. Augustine.*

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THOMAS HARRINGTON
CENSOR DEPUTATUS.

Imprimatur:

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ARCHIEP. SYDNEYENSIS.

1a die Octobris, 1958

Official Documents

SUPREME SACRED CONGREGATION OF THE HOLY OFFICE

A.A.S., 50, p.536.

WARNING

It has come to the notice of this Supreme Sacred Congregation that in a translation into the vernacular of the New Order of Holy Week the words "Mysterium Fidei" have been omitted from the form of consecration of the Chalice. It has been reported, moreover, that some priests are omitting the same words in the celebration of Mass.

Hence this Supreme Congregation gives warning that it is utterly unlawful to introduce changes into such a holy action, as it is also impious to mutilate or interpolate the editions of liturgical books (cfr. can. 1309, 10°).

Let the Bishops, therefore, in accordance with the mind of the solemn warning given by the Holy Office, on February 14, 1958, see to it that the regulations of the sacred canons regarding divine worship are kept with all strictness. Let them likewise watch, lest anyone should dare to introduce the least change in the matter and form of the Sacraments.

Given at Rome, from the Palace of the Holy Office, on the 24th day of July, 1958.

ARTHUR DE JORIO, *Notary.*

APOSTOLIC LETTER

Declaring St. Clare, Virgin, the Heavenly Patroness of Television.

PIUS XII, POPE.

For a perpetual remembrance—The clarity of greater and greater splendour is, by the favour of divine wisdom, being shed in special manner on human genius in these days of marvellous inventions. The Church also, never averse to the progress of civilization and technical advances, shows high favour to those new enhancements of learning and daily life, as long as they are directed to good and praiseworthy purposes. She even uses them freely and gratefully in order to teach truth and further the cause of religion. Amongst such high-ranking inventions we number that instrument which procures television or the present

perception by eye and ear of distant events at the very time that they happen. By television spectators enjoy a sort of actual participation in the events themselves (Encycl. *Miranda prorsus*, 8 Sept., 1957).

This wonderful instrument—as everybody knows, and as We Ourselves expressly declared—can be a means of very great utility and also of very great dangers. Besides, it has a unique power of holding the interest of people within the walls of their own homes.

For those reasons, it seemed expedient to provide this invention with special heavenly protection, for the hindering of evil and the obtaining of right and salutary use. The Patron that has been sought is Saint Clare. It is recorded of this saint that on a certain Christmas night, at Assisi, while she was sick and confined to bed in her own convent, she heard the singing in the Franciscan church, as the sacred rites were going on, as if she was actually present, and saw the Crib of the Divine Infant. St. Clare, then, shining with the brilliance of sanctity and supplying a heavenly light when darkness is so thick, may well take charge and procure that by the use of this brilliant instrument truth and virtue may shine forth with clarity—those very things, namely, on which civil order rests.

Willingly, indeed, We accede to the requests of Our Venerable Brother, Joseph Placid Nicolini, Bishop of Assisi, of the Generals of the four Franciscan families, and of other illustrious people, to which requests many Cardinals of the Holy Roman Church, Archbishops and Bishops have given their favour and support.

We, therefore, after consulting the Sacred Congregation of Rites, with certain knowledge and mature deliberation, and with the fulness of Apostolic power, by these present Letters, appoint St. Clare, Virgin of Assisi, Patron of Television, and declare her to be so henceforth and in perpetuum. To her status of Patron We annex all the usual privileges and liturgical honours due to Patrons. Everything to the contrary notwithstanding. In thus appointing and instituting, We decree that the present Letters be henceforth firm, valid and efficacious and always remain so, having and obtaining their full and integral effects—that both now and in future they be authoritative in regard to those concerned or to be concerned—that according to them judgment and decision be regulated—and that whatever may be attempted

to the contrary by anyone of any authority whatsoever, knowingly or unknowingly, be null and void.

Given at Rome, from St. Peter's, under the ring of the Fisherman, on the 14th day of February, 1958, nineteenth year of Our Pontificate.

PIUS XII, POPE.

ENCYCLICAL LETTER

Apostolorum Principis

to the Episcopate, Clergy and People of China on the present persecution.

[We can only summarise the first half of this Encyclical. Because of the doctrinal importance of the second half, we give a full translation of the main paragraphs.]

The Holy Father first reviews the history of the Church in China since Pope Pius XI, thirty-two years ago, consecrated the first native Chinese Bishops. That day seemed a day of magnificent hopes and the prospectives of those hopes did not cease for a score of years to be still bright, especially when the hierarchy was established in 1946. But three years later, with the coming of the Communists into power, the clouds fell dark and dense on the christianities of China and soon persecution was the order of the day.

In the Encyclical *Cupimus imprimis,* given Jan. 18, 1952, the Pope raised his voice against the unjust persecution. He insisted especially that the Church is not and cannot be hostile or even unsympathetic towards any people in the world and their legitimate aspirations. Foreign missionaries were in China solely to extend the Kingdom of God and assist the zealous native clergy in the christian apostolate.

Again, on October 7, 1954 (Encyc. *Ad Sinarum Gentem*) the Vicar of Christ protested against accusations of anti-patriotism brought against Catholics, and condemned the schismatic aims of the programme known as "The Three Autonomies."

The paragraphs that follow this review deal with the insidious aims and the violent and oppressive methods followed by the so-called "Patriotic Association." Catholics by the very religion they profess are bound to love their country, but they must insist that while Caesar gets what belongs to Caesar, the rights of God must be respected. There are times when they must say, like the Prince of the Apostles: "We must obey God rather than man."

The pseudo-patriotic movement sets its own arbitrary limits to the magisterium and governmental jurisdiction of the Supreme Pontiff and against that arbitrary limitation the characteristic paragraphs of the Encyclical are directed. They read:

"According to information transmitted by Radio and Press, there are some even amongst the clergy who dare to insinuate the suspicion and the accusation that the Holy See is pursuing a malevolent policy against China.

"On that false and offensive presupposition, they make bold to limit, on their own arbitrary authority, the authority of the Supreme Magisterium of the Church, asserting that there are questions—like those which are social and economical —in which Catholics may neglect the doctrinal teachings and directives of this Apostolic See. It seems scarcely necessary to say so, but it must be said again, that this opinion is absolutely false and erroneous. As We had occasion to declare some years ago to a distinguished gathering of Venerable Brethren of the Episcopate: The power of the Church is not limited to the domain of 'things strictly religious' (as they say), but to it belongs the whole field of the natural law, as also the teaching, interpretation and application of this same law, in so far as its moral foundation is in question. The truth is that by divine ordinance the observance of the natural law is related to the path which men must follow in pursuing their supernatural destiny. In this path the Church is accordingly the guide and guardian of men in reference to their supernatural end (Discourse, 2nd Nov., 1954).

"This same truth was wisely placed in clear light by Our holy Predecessor, Pius X, in the Encyclical *Singulari quadam* (Sept. 24, 1912) when he said: 'All the actions of a christian are subject to the judgment and the jurisdiction of the Church, in as much as those actions are good or bad from the moral point of view, that is, in so far as they are in concord or discord with the natural and divine law.'

"Moreover, having proclaimed this arbitary limitation those same persons, while declaring in words their will to obey the Roman Pontiff in the truths to be believed and—so they express themselves—in the ecclesiastical rules to be observed, come to such a pitch of audacity as to refuse obedience to clear and precise provisions and arrangements made by the Holy See. To these they attribute secondary aims conjured up by their own imaginations—aims of a political kind, like dark plots against their country.

"A proof of such a spirit of rebellion against the Church is to be seen in a fact of extreme gravity, an action which brings unspeakable and profound sorrow to Our heart of Father and

Universal Shepherd of souls, namely, what We are now about to mention.

"For some time, the so-called patriotic movement has used intense propaganda to proclaim an alleged right—the pretended right of the catholic people to elect Bishops on their own initiative. Their assertion is that such an election is indispensably necessary, in order to provide in a due manner for the good of souls, and in order to entrust the government of the dioceses to pastors who are acceptable to the civil authorities as being not opposed to the ideological and political trends of communism.

"We have even heard that some of those abusive elections have already taken place and that, moreover, in contravention of an explicit and severe warning delivered to those concerned by this Apostolic See, disobedience has gone the whole length of conferring episcopal consecration on some ecclesiastics.

"In the face of such grave attempts against the discipline and the unity of the Church it is Our solemn duty to recall to the minds of all the utter discrepancy of such doings from the principles which rule the constitution of the Society divinely founded by Jesus Christ Our Lord.

"On this point the sacred canons are quite clear and explicit. They lay down that it belongs to the Holy See alone to judge concerning the fitness of an ecclesiastic for the dignity and mission of a Bishop, and that it belongs to the Roman Pontiff to nominate Bishops with full liberty. And even when it happens, as in certain cases, that in the choice of a candidate for the episcopate, the concurrent participation of other persons or bodies is admitted, this lawfully happens only in virtue of a concession—an express and particular concession—made by the Holy See to persons or moral bodies clearly determined and with conditions and in circumstances clearly defined. From this it follows that Bishops not nominated or not confirmed by the Holy See, but rather chosen and consecrated against the express ordinances of the Holy See, cannot enjoy any power of magisterium or of jurisdiction: for jurisdiction comes to the Bishops solely through the Roman Pontiff, as We already had occasion to recall in Our Encyclical *Mystici Corporis*. There it is said: 'The Bishops, in regard to their dioceses are true Pastors guiding and governing in the name of Christ the flock entrusted to each. But, while they do this, they are not independent, being subject to the lawful authority of the Roman Pontiff. They enjoy, indeed, ordinary power of jurisdiction, but it is communicated to them by the Sovereign Pontiff himself. This is a teaching which We had occasion to recall also in the Letter, *Ad Sinarum Gentem*: 'The power of jurisdiction which is conferred on the Supreme Pontiff directly by divine law, comes to the Bishops from the same law, but only through the medium of the Successor of

St. Peter, to whom not only the simple faithful but all the Bishops also must be constantly subject, being bound to him by the duty of homage and obedience, and with the bond of unity.'

"The acts of the power of order exercised by such ecclesiastics, although valid—supposing the consecration conferred on them has been valid—are gravely illicit, that is, sinful and sacrilegious. The case falls under the solemnly admonishing words of the Divine Master: 'He who does not enter the sheep fold by the door, but comes up by another way is a thief and an assassin' (Jn. 10:1). The sheep recognise the voice of their true shepherd and follow him with docility, 'but they do not follow a stranger, rather do they fly from him; because they do not recognise the voice of strangers' (Ibid. 10:5).

"We are well aware that the rebels seek to justify their usurpations by appeal to the practice of earlier centuries. But it must be evident to all that if it were allowed to anyone or everybody to refer to ordinances which are no longer in force, since the supreme authority has for a long time ordained otherwise, discipline would be in a state of utter confusion. The very fact that they appeal to another discipline, far from excusing their action, rather proves their intention to depart deliberately from the existing discipline, which they should follow, a discipline which holds not only for China and countries recently evangelized, but for the whole Church—a discipline which has been sanctioned in virtue of that supreme and universal authority to shepherd, rule and govern, which was conferred by Our Lord on the Successors of the Apostle Peter.

"The definition of the Vatican Council is well known: 'With the clear testimonies of Sacred Scripture behind us and in exact harmony with the decrees of Our Predecessors, the Roman Pontiffs, and of the General Councils, We renew the definition of the Ecumenical Council of Florence according to which all the faithful must believe that the Holy Apostolic See and the Roman Pontiff exercise primacy in the whole world; that the same Roman Pontiff is the Successor of St. Peter, Prince of the Apostles, is the true Vicar of Christ, and is the head of the whole Church, the Father and the Teacher of Christians; that to him, in the person of St. Peter, has been committed by Our Lord Jesus Christ the full power of shepherding, ruling and governing the universal Church.

" 'Consequently, We teach and declare that the Roman Church, by divine ordinance has the ordinary power of primacy over all the others, and that such power of jurisdiction residing in the Roman Pontiff (a power of truly episcopal character) is immediate, and that, consequently, the pastors and faithful of whatever rite or dignity are held by the duty of

hierarchical subordination and of true obedience to it, not only in matters of faith and morals but also in those which relate to discipline and to the government of the Church spread throughout the whole world; in such wise that, by conserving the unity of communion and faith with the Roman Pontiff, the Church of Christ is one flock under one supreme pastor. This is the teaching of Catholic truth, from which no one can depart without losing the faith and salvation.'

"From what We have set forth, it follows that no other authority except the Roman Pontiff can revoke the canonical institution granted to a Bishop; no person nor assembly, whether of priests or laity, can arrogate to itself the right to nominate Bishops; no one can lawfully confer episcopal consecration, if beforehand the existence of the required apostolic mandate is not certain. Hence, such an abusive consecration, being a grave attempt on the very unity of the Church involves excommunication reserved *specialissimo modo* to the Apostolic See. The sentence is incurred ipso facto not only by the person who receives the arbitary consecration, but by him who confers it."

The Holy Father disposes of the pretext of necessary provision for dioceses by saying that a provision for the spiritual needs of the faithful is not made by violating the laws of the Church; secondly, that there is not question of vacant dioceses but often of dioceses iniquitously deprived of their pastors, by expulsion or imprisonment or in some other way.

The Encyclical ends with a warm invitation and exhortation to the Bishops and faithful to remain intrepid in attachment to their faith.

Given on June 29, 1958.

W. LEONARD.

St. Patrick's College, Manly.

SHORT NOTICE

CHRISTIAN ATTITUDES (Published by Young Catholic Students' Movement, 379 Collins St., Melbourne.)

The technique and practical application of the Y.C.S. Movement has been proved a distinctly successful means of educating youth in Christian values. This handbook, then, comes not as an experiment, but as a compendium of well tried discussions. The first part of the book deals with the Student Apostolate. Here the subjects for discussion are well chosen, laying correct emphasis on the Christian's identification with Christ in sharing the sacramental life.

The second part is concerned with Christian attitudes which are suitably geared to the problems facing Australian youth. The employment of Y.C.S. technique should not only help to supplement the spiritual formation of children in our schools. It should also provide a valuable means of gaining efficient members in the various adult groups of the Lay Apostolate.

E.K.

The Theology Of Mysteries, III.

The salient features of Casel's doctrine on the eucharistic sacrifice can be summarised in these statements. The mass is a sacrifice because the consecration of bread and wine signifies and makes present the saving event of Christ's passion. Under the sacramental species there is contained the historical act of Calvary, Christ suffering and dying, Christ surrendering himself to the Father, immolating himself as a sacrificial victim for the entire human race. The Eucharist is not simply the mystery of the Real Presence of Christ's body and blood; it is above all else, the mystery of the real presence of the sacrifice of the Cross. But the mass is far more than a re-presentation, a re-actualisation of the saving event which took place on Golgotha. It involves the real, objective presence of the entire work of salvation which commences with the Incarnation and terminates with the Parousia. Such is the concept of the eucharistic sacrifice proposed by Dom Casel. His doctrine is presented not so much as a theological reconstruction of the traditional data, but rather as the doctrine of tradition itself, preserved in the writings of the Fathers and in the liturgical texts of the Western and Eastern rites.[1]

Granted that the doctrine of the mystery-presence is a simple re-statement of tradition, that it is essentially a mystery of faith, the theologian is still faced with the task of illustrating the mystery and demonstrating its non-repugnance. This is all the more necessary because the metaphysics of time and place would seem to exclude all possibility of the past event of Christ's passion being really present in the Eucharist.

Casel himself does not fully develop this aspect of the problem of mystery-presence. His primary interest lies in the nature and content of the Christian mystery. But faced with objections, he expresses the conviction that many of the difficulties created by the human intellect are still-born, if we remember that the mystery-presence is a sacramental presence. In the Eucharist the historical event of Christ's passion is really

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[1]The patristic and liturgical tradition bears witness to a fact—the presence of Christ's passion in the eucharistic mystery. Many theologians criticise Casel for failing to distinguish between the fact and the mode of presence. They regard his system simply as a theological reconstruction.

present, but it is present in a sacrament, in a mystery. The passion of Christ is *sacramentally* present beneath the consecrated species of bread and wine. In the Eucharist the historical events of Christ's saving life are really present, but they do not have their historical mode of existence. They now have a sacramental mode of existence and presence. It is this sacramental presence of the saving act that we wish to consider in our concluding article on the theology of mysteries.

SACRAMENTAL PRESENCE

Casel insists that there is a sacramental mode of being as distinct from the natural, historical mode of being; that the laws which govern the historical order cannot be transferred to the sacramental order. The sacramental order is a supernatural order which lies mid-way between the symbolic representation of an event and the historical, physical enactment of the event. "The Mystery of Christ which is accomplished in all its historical and physical reality in our Saviour is realised among us in the symbol, under representative and figurative forms. These are not simple appearances, mere exterior and empty signs, but they contain for us and they communicate to us the full reality of the new life which Christ our Mediator offers us. This participation of an altogether special kind in the life of Christ, which on the one hand is presented by symbolic expression and on the other is really accomplished, was given by the early Christians the name of *mystical* participation. It is, in fact, a manner of being which occupies a middle place between the exterior representation pure and simple and the physical reality itself."[2]

The very existence of such an order and the laws which govern it cannot be deduced from human reason. Whatever knowledge we have of the sacramental mode of existence is gained from the intellect illumined by faith. As a summary proof of this, Casel quotes the doctrine of the Council of Trent on the mystery of the Real Presence. The council declares that Christ our Saviour always sits at the right hand of the Father according to his *natural mode* of existing. Nevertheless, in his substance, he is *sacramentally* present in many other places with us. Although we can hardly find words to express this mode of existence, our reason guided by faith can know that it is possible to God and we should believe it without hesitation.[3]

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[2]O. Casel, *Le Mystere du Culte,* pp. 32-33.
[3]Sess. XIII, Cap. I; Denziger, n. 874.

This suffices to establish the existence of a sacramental mode of presence as distinct from the natural mode of presence. Hence Casel's insistence that the saving acts of Christ's life are present in the Eucharist sacramentally. He speaks of the sacramental presence of the saving act, the mystical presence of the saving act, the pneumatic presence of the saving act. All of these expressions have much the same meaning.

The meaning of the doctrine of sacramental presence, its implications and the place it holds in the theology of mysteries is summarised in these words. "Sacramental presence means real presence, but reality of an altogether special kind, demanded by the very purpose of the sacrament which permits the faithful to participate in the life of Christ as Redeemer of their souls. For this purpose the historical accidents which accompanied the redemptive work have no importance. The only thing which counts is the act of Christ, the very quintessence of the work of salvation. . . . The sacrifice of the mass contains the passion of Christ but not in its natural and historical mode of being, not in the order of time (in tempore). Neither is the passion of Christ present in the mass purely by way of symbolism (in signo), but rather sacramentally, i.e. after the manner of a substance (secundum modum substantiae), without temporal succession, but in its quintessence as the redemptive act of the God-Man. . . . By transubstantiation God makes present simultaneously on many altars the *unique* body of Christ who is present in heaven by his natural mode of being. Is it then impossible for the divine omnipotence to make present, in a sacramental manner, the act of the Passion which was once accomplished at a given moment of history?"[4]

The general tendency of this explanation is to illustrate the real presence of Christ's redemptive work in the Eucharist by analogy with the Real Presence of Christ's body and blood in the Eucharist. Just as the body of Christ is sacramentally present beneath the sacred species, so the passion of Christ is sacramentally present beneath the same species. On the basis of this analogy a number of principles can be formulated which serve to illustrate and clarify the presence of Christ's passion in the eucharistic mystery.

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[4]O. Casel, JLW, VIII, p. 195; cited from *L' Ami du Clerge*, 1948, p. 595.

(i) *The sacramental presence of Christ's passion in the Eucharist excludes a repetition or a renewal of the passion of Christ.* The fact that Christ is now glorified and cannot die again does not constitute a difficulty if we keep in mind the sacramental perspective.[5] This principle can be illustrated immediately by analogy with the mystery of the Real Presence.

By transubstantiation the sacred species contain the body and blood of Christ. They contain the body of Christ every time the consecration is performed, but the body of Christ is never multiplied or reduplicated. The body of Christ present in the Eucharist *is* the body of Christ present in heaven. The only difference lies in the manner of presence. Similarly, the consecrated species contain the passion of Christ. They contain the passion of Christ every time the consecration is performed, but the passion of Christ is never multiplied, reduplicated or repeated. The passion of Christ made present in the mass *is* the saving act of Calvary itself. One and the same reality is present in both cases. The only difference lies in the mode of presence.

Although the passion of Christ is present beneath the sacred species, it is not true to say that in the Eucharist Christ suffers again, that Christ dies again. Christ died once to achieve an eternal redemption and that action is never repeated. The eucharistic celebration is not to be envisioned in terms of a Passion Play which is presented with such stark realism that it suddenly comes to life and renews Christ's death. There is no reduplication of Christ's passion in the mass, just as there is no reduplication of Christ's body in the Eucharist. Just as sacramental presence does not multiply the body of Christ, so sacramental presence does not multiply the passion of Christ.

Thus the eucharistic sacrifice does not involve a repetition

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[5]cfr. Casel, JLW, VIII, p. 174. "The redemptive acts of Christ, although historically past, are re-actualised; they become really present again. The reality of our salvation is obtained, according to the order of Christ, not merely by a pure application, but by a 'living with him and a dying with him' full of mystical reality. This community of life and death supposes a real living and dying of Christ here and now. It is only by this means that the Christian is united with Christ. The fact that the Lord is now glorified and that he does not die again in the sacrament, does not constitute a difficulty in this sacramental perspective. Christ does not die again really, historically but the saving act becomes present sacramentally, in mysterio, in sacramento, and thus it becomes accessible to all who seek salvation." Text quoted from B. Neunheuser, *L'Annee liturgique selon Dom Casel, Les Questions Liturgiques et Paroissiales,* 1957, pp. 290-291.

or a renewal of the death of Christ. In the Eucharist Christ does not die again. Certainly, these expressions are employed by the Fathers, but only by way of paradox. They simply indicate that the unique saving act of Christ's passion is made present in the Eucharist.

(ii) *The sacramental presence of Christ's passion is a supra-spatial mode of presence.* One of the fundamental difficulties against the presence of Christ's passion in the Eucharist is founded on the limitations of place. Historical events are enacted in a particular place and they cannot be transferred from one locale to another. Napoleon met his defeat at Waterloo and the battleground cannot be transferred to London. Multi-location of one and the same historical event is impossible. It is an historical fact that the passion of Christ took place on Calvary in Palestine. One and the same passion of Christ cannot now be made present on our altar in the parochial church. Historical events are, as it were, circumscribed by place; they cannot be multi-located.

These and similar difficulties of the local order no longer exist if we remember that the sacramental mode of presence is, of its nature, a supra-spatial mode of presence. The sacramental presence completely transcends the category of place. This truth can again be illustrated by the mystery of the Real Presence.

The body of Christ is locally present in heaven by a circumscriptive presence. The same identical body is present in the Eucharist, but it does not acquire any local presence. Although the dimensive quantity of Christ's body is contained beneath the sacred species, still the body of Christ is not related to the species by reason of its quantity. There is no quantitative contact between the body of Christ and the containing species of bread. Consequently, the body of Christ is not localised in place, neither is there, strictly speaking, any distance between the body present on the altar and the body present in heaven. Similarly, the identical saving act which took place on Calvary, the passion of Christ, is really present in the Eucharist, but it now transcends the spatial order. The passion of Christ is contained beneath the sacred species but it does not acquire a new localisation, nor is it subject to the law of distance. Hence the problem of multi-location does not exist. The passion of Christ, like the body of Christ, has a sacramental presence in the Eucharist. It is present *tamquam in loco*, but in reality it completely transcends the spatial order and the limitations imposed by place and distance.

(iii) *The sacramental presence of Christ's passion is a supra-temporal mode of presence.* An historical event is not only circumscribed by place, it is also enclosed within the barriers of time. An event which took place in the past cannot be transposed into the present. Time is irreversible, and once past, cannot be recaptured. The passion of Christ took place at a definite hour of a given month in a particular year. How then can the same historical event be made present at every hour of the day by the celebration of the eucharistic sacrifice? Moreover, if the entire redemptive work of Christ is really present in the Eucharist, we must ask how can the thirty-three years of Christ's life be compressed into the short interval of the mass?

These difficulties have a familiar ring. They re-phrase in the language of time the classical difficulties which are proposed in regard to the Real Presence. How can the dimensions of Christ's body be compressed into the small dimensions of the sacred host?

Casel gives to the problem of time the same answer that he gives to the problem of place. The sacramental presence transcends the order of time. Just as the sacred species alone are present in a place, so the sacred rite alone is enacted in the order of time. The contents of that sacred rite, the saving act of Christ's passion, completely exceeds the order of place and time.

It is clear that the historical saving act of Christ's life is endowed with an eternal permanence by which it transcends the narrow limits of the world of time. Christ's redemptive work performed within the geographic confines of Palestine and within the time limit of thirty-three years is a mystery. It is the first mystery, the saving act of God manifested and developed in history and time. Nevertheless the mystery is above history and above time. It is not a natural event and consequently it is not dominated by the laws of time which govern and control natural events. "The mystery reveals to us all the meaning of historical deeds of the Saviour. It takes away nothing from the concrete reality of these actions, but it puts them in direct relation with the divine economy. It shows us in them the particles of the great redemptive plan which is hidden in God from all eternity, which is revealed in time, and which finally returns to God. Per Christum hominem ad Christum Deum. This master-thought of St. Augustine takes shape in the divine

mysteries. Man is the way and God is the term. Thus the historical event reveals itself as the execution of the divine thought. Once it is realised in time, it becomes again *eternity*. When the liturgical year celebrates the succession of gestures and historical actions, it does not attach itself to them as such, but to the eternal content which they express and conceal. This content is the great work of God towards humanity, the redemption by Christ, which aims at detaching man from the narrowness of time and introducing him into eternity without end. But this spiritual content is not unfolded before us in a progressive manner like the course of nature in its annual cycle. As the divine action of salvation it is closed, uniform and perfect in itself."[6] Thus there is an eternal element in the historical events of Christ's life which sets them above the order of time, which makes them transcend time and which makes it possible for them to become present sacramentally in the celebration of the liturgical sacrifice.

(iv) *The sacramental presence of Christ's passion is a substantial mode of presence.* On several occasions Casel declares that the passion of Christ is present in the mass after the manner of a substance (secundum modum substantiae). The phrase is obviously borrowed from the thomistic theology of the real presence, and its meaning is often disputed. Casel seems to employ the formula as a means of indicating that the passion of Christ is not present in the Eucharist in a temporal manner. There is no temporal succession of events. Neither are the historical accidents, which accompanied the death of Christ, made present by the liturgical celebration.

In the Eucharist there is present the substance of the passion of Christ. The event which took place on Calvary is present in its essence as the redemptive act of the God-Man. The accompanying historical circumstances are not made present in the sacrament. Thus the actions of Christ's enemies, the actions of the Jews, of the thieves on the cross, of the soldiers who crucified Christ, do not form part of the liturgical re-presentation. These historical accidents which surrounded the redemptive work have no place in the sacramental perspective. They do not contribute to the salvation of humanity. They do not contribute to our participation in the life of Christ as redeemer of our

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[6]O. Casel, *Le Mystere du Culte*. p. 136.

souls. Hence they remain, as it were, outside the sacrament. For the purpose of the sacrament one act alone is important, the saving act of Christ himself. In the Eucharist, therefore, the passion of Christ is made present *secundum modum substantiae.*

Such are the general outlines of Casel's thought. He believes that 'the famous conceptual difficulties' which are raised against the doctrine of mysteries are no greater than those which are raised against the doctrine of the Real Presence, that the theological principles which illustrate the presence of Christ's body in the Eucharist can be extended to the presence of Christ's passion. Every objection stems from a failure to distinguish between the natural mode of existence and the sacramental mode of existence. The metaphysics of time and place have nothing to do with the sacrament.

To attempt a critical appraisal of Casel's thought would be to go beyond the scope of these articles. In recent years the theology of mysteries has made considerable advances and deviations from the position adopted by the monk of Maria Laach.[7] But his contribution lies in having constructed a vast synthesis of the mystery of Christ, in having stimulated a train of thought and enquiry which bears promise of great fruit—the deepening and enrichment both of sacramental theology and the christian life.

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[7]The subsequent history of the theology of mysteries is admirably presented by J. Gaillard, *La Theologie des Mysteres, Revue Thomiste,* 1957, pp. 510-551.

The Founding Of St. John's College

Synopsis: Solidity of Foundations in the 1850s . . . The University of Sydney Bill, 1849-50 . . . The Plan . . . Contentions over its 'secular' nature . . . University of London and 'Godless' Colleges of Ireland . . . First Senate . . . Change in Plan at instance of first Professors . . . University Inaugurated 1852 . . . Ideas of Affiliated Colleges firm . . . Negotiations between Senate and Church of England . . . Contentions over Plan for an Anglican College . . . Affiliated Colleges' Act, 1854 . . . St. Paul's College incorporated . . . Connection of Rt. Rev. H. C. Davis to death in 1854.

John Bede Polding, his situation and that of Catholic Church in 1850s . . . His problems of administration . . . First definite steps to form a Catholic College . . . Letters in *Freeman's Journal* . . . *Icolmkill's* letters . . . Lyndhurst College . . . Abp. Polding's Pastoral . . . Huge meeting in St. Mary's Cathedral, August, 1857 . . . Roger Therry's address . . . Meetings from Albury to Moreton Bay . . . Grand Collections . . . Incorporation of St. John's . . . Anglican Bishop Barker's objection to Archbishop's titles . . . Election of First Fellows . . . Heated meetings . . . Final Election in St. Mary's, June, 1858 . . Fellows elect Dean O'Connell, Rector pro tem . . . Governor proclaims Rector and Fellows in office, July 1, 1858 . . . First Council meeting, July 5, 1858.

(Being a paper presented to the Australian Catholic Historical Society, at History House, Sydney, on Tuesday, August 5th, 1958.)

It has been observed, no doubt, that the years of the 1950s already past have witnessed the celebrations of important centenaries here in New South Wales. Before 1960 is reached others will be marked by suitable functions. The 1850s, therefore, saw the development of numerous features that have persisted to become parts of the pattern of existence as we know it to-day.

This persistence or abiding of movements and institutions, commenced in the 1850s, reflects a solidity of foundation that was less in evidence in earlier years of colonial life; and the increasing solidity of foundation, in its turn, had its origin in a better-organised and more purposeful society. As Roger Therry viewed the community in 1859, and I quote[1]: "There are now in Sydney, as well as Melbourne and other chief towns of Australia, all the materials of what may be termed good middle-class society that one can find in the principal towns of England out of London. . . . In the towns . . . in the interior . . . there is the same society, though, of course on a reduced scale in comparison with the capital cities. . . ."

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[1]*Reminiscences of Thirty Years' Residence in New South Wales and Victoria* (Sampson Low, Son & Co., London: 1863), pp. 60 and 64-5.

These people were keen to build, particularly as the possibility of a great future assumed more realism; moreover, they had won power to their hands in the direction of their own destinies, and they had no wish to be found wanting. Roderick Flanagan seems to have caught the pervading spirit fairly well when he referred to the implications of responsible government, which was introduced in 1856. "Thenceforward," he wrote, "the colonists . . . were responsible for the condition which their affairs would present in the eyes of the world. Hitherto, if the tide of prosperity were checked, the colonists were enabled to transfer the whole blame to the shoulders of the authorities in London. . . . Now it was to be otherwise. If the colony did not prosper the people incurred contempt or odium in the eyes of their fellow subjects in other parts of the empire; if its affairs presented an example of growth and advancement, their wisdom, enterprise and energy would be the theme of praise and admiration."[2]

Into this pattern of building and development the founding of the University of Sydney, as seen now, but, perhaps, not then, fits comfortably, if somewhat prematurely. In a sense, it fits comfortably because one of the aims of University education is to improve *intellectual* communication; in the same time there were very definite advances in *material* communication, for witness the inauguration of steam communication with Europe (1852), of railway communication (1855) and telegraphic communication with Melbourne (1858). It fits prematurely, however, as it is very doubtful whether the standard of the education provided in the then existing primary and secondary schools was sufficient to warrant a University in 1850. As for the state of primary education, a report to parliament presented before the end of 1855 concluded in the rather gloomy terms that the children in the Catholic schools were in a deplorable state of ignorance, their teachers being quite unfit and wholly incompetent, while the schools of the other denominations were still more defective in every way than those of the Catholics. As for the National schools (formed after 1848), they were described as the worst and most expensive of all.[3] Hence, as Sir William Denison remarked in his first address to the Legislative Council: the University, and other institutes, "could

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[2]*The History of New South Wales* (Sampson Low, Son & Co., London: 1862), vol. 2, pp. 375-6.

[3]Cardinal Moran: *History of the Catholic Church in Australasia* (Oceanic Publishing Co., Sydney: c. 1894), p. 867.

hardly be expected to produce the proper fruit, unless the seed of education were sown in primary schools."[4]

The idea of founding a Colonial University had been vaguely envisaged as early as the 1820s. Archdeacon Thomas Hobbes Scott, of the Church of England, had the conception that the schools formed under the Church and Schools Corporation would make a series from the elementary even to the tertiary level, and Archdeacon (later Bishop) Broughton had much the same in mind with respect to the King's Schools. The founding of his St. James' College in 1845 was a further step in the same direction. Dr. Dunmore Lang cherished the hope that his Australian College would, one day, play a much higher part in the intellectual life of the Colony "by affording the colonial youth of a more advanced standing similar educational advantages to those afforded in the Mathematical, Philosophical and Natural History classes of the Universities of Scotland."[5] And a similar sentiment was expressed with respect to the Sydney College. By parallel, the Catholic Church had old St. Mary's Seminary, from 1838, and St. Mary's College, Lyndhurst, after February of 1852. There can be no doubt that the latter College, which took over the main building of Dr. Broughton's St. James' College, was founded with a large eye toward University education.

Contrary to what might have been expected, however, it was not through the success of any established institution but rather through the failure of one of them that the idea of forming a University took definite shape. For out of the failure of the Sydney College in 1848 a majority of the trustees petitioned the Legislative Council in 1849 praying that steps might be taken to convert their institution into a University.

This suggestion was examined by a Select Committee and its report considered that no further delay should be countenanced before the object of a University was accomplished. To make it accessible to all classes, and its basis liberal and comprehensive it was stressed that it "must belong to no religious denomination and require no religious test" and to achieve that it was deemed necessary that "its Visitor must be a layman, its governing body laymen (and), its professors laymen," for in no

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[4]Roderick Flanagan, *op. cit.*, vol. 2, p. 364.

[5]Judge Burton: *The State of Religion and Education in New South Wales* (J. Cross, London: 1840), p. 139.

other way did the Committee see how it could become an institution "to which all classes and denominations may resort for secular education, which it must be obvious, is the only education it can impart, or suffer to be imparted, within its walls."[6]

I need hardly remind you that the days around the middle of the last century were ones of pretty vigorous religious contention. Though Bourke's Church Act of 1836 had practically put an end to the Church of England's aspirations for ascendancy, the issue had a lingering death and could not be said to have been interred before 1850. At the same time, Non-Conformists and Catholics, in seeking a *modus vivendi* with an ostensibly superior numerical group, were not slow when the necessity, or a semblance of it, arose, to press for the maintenance of their rights under a charter for religious freedom. On top of this, nationality of origin frequently occasioned a significant but confusing blur.

Differences in religious thought had proved the major obstacle to any attempts to solve satisfactorily the problem of providing a general scheme for imparting primary education. It was fairly generally agreed that, at least, some religion was integral to education. But trying to please all sections was an unenviable task from the Government level and it was not accomplished by the inauguration of the dual National and Denominational Boards in 1848.

With that experience to go by, the promoters of the University—some of whom were devout churchmen—wished for no similar trouble in its connection. Somewhere I have seen it written recently that they attempted to resolve the problem on religion by 'abolishing' it. That was not so; rather, what they did was to try to keep the University free of religious contention. Yet, in so acting—indeed, in attempting the impossible—they threw it into the centre of a controversy which proved fruitful by enabling people to clarify in their own minds what issues were at stake.

The University Bill of 1849 went easily through to the Committee stages, but it was there blocked by heated discussion over the nominations for the Senate. On two occasions the House was counted out and the Bill was finally lost to that session.

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[6]H. E. Barff: *A Short Historical Account of the University of Sydney* (Angus & Robertson, Sydney: 1902), p. 5.

It was recommitted in 1850 and, with certain amendments, it passed into law on October 1 of that year.

In the preliminary planning of the University, all sections seemed fairly to coincide in the opinion that its basis should have been similar to that of the University of London, which from its foundation in 1826 and Charter of 1836 had followed two fundamental principles. These two principles, which originated in the circumstance that Oxford and Cambridge were then practically restricted to professed adherents of the Church of England, were: 1. That the University was to be entirely impartial as amongst the warring religious sects, and 2. That a wide and open curriculum of subjects fit for tertiary study without restriction was to be offered. To satisfy the adherents of the various Christian religions it was envisaged that the University of London would have attached to it a number of denominational Colleges, each of which would be left to its own devices, make its own plans, and do its own work in the best way it could, and in accordance with this scheme the University of London, from its first operation, in effect, did nothing more than examine and confer degrees.[7]

In a similar fashion, Wentworth envisaged the University of Sydney as an examining and supervising authority over a number of affiliated scholastic establishments. With that general plan there was no quarrel; where the issues did arise was in the matters of detail, and it was there that the Churches raised their voices.

Hence, when the Bill was before the Council again in 1850, a number of petitions against it "in its present form" came from the clergy of the four main denominations, and from other groups of citizens in various towns of the Colony. The two points mainly disagreed with were: 1. The proposals to have as Senators only laymen; and 2. The suggestion (though it was ill-defined in the wording of the Bill) to erect a University College, which would be attached to no religious group, as a first main step in getting the institution under way.

By the exclusion of clergy from any part in the management of the University, and through the expressed aim to exclude any religious teaching from the 'University College,' it was feared that the institution would become a 'Godless' one—religious

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[7]Sir Gregory Foster's pamphlet: *The University of London* (University of London Press Ltd., London: 1922).

neutrality leading to irreligion. This fear was all the more impressive as the trend of 'liberalization' in education as then current in Europe was seen to mean 'secularization,' and the setting up of National Schools in New South Wales was taken as a pointer in the same direction. In Ireland, too, the Queen's Colleges of Cork, Galway and Belfast had just been inaugurated and their motives had been denounced by Pius IX as being contrary to the best interests of religion. These same so-called "Godless Colleges" had again been denounced by the Catholic Bishops at the Synod of Thurles and the intention was announced to set up a Catholic University of Ireland in competition or opposition. These last factors, no doubt, strongly influenced Catholic thought on the University of Sydney, and they were not lost on the adherents of other denominations.[8]

As for clergy and the Senate, Wentworth at length agreed to the nomination of one clergyman from each of the four main denominations, and, in consequence, the first Senate included the Right Reverend Henry Charles Davis, Coadjutor to Archbishop Polding; the Reverend W. B. Boyce (Wesleyan) and the Reverend W. Purves (Presbyterian). Note that for a reason which will be made clear a little later, the Church of England stood apart in this respect until 1855 when Canon Robert Allwood took a seat. The first Senate also included two of the principal Catholic laymen and public figures—Attorney-General John Hubert Plunkett and His Honor Judge Roger Therry.

The question of clergy representation on the Senate was so far resolved, but that of the 'University College' was not, and the vague reference to it persisted in the Act of 1850. This was the core of the Anglican Hierarchy's discontent with the Act, and their estimate of what would transpire, once the Act was passed, proved correct.

For when the Senate began its deliberations and sought its first Professors it immediately sensed the confusion between the 'University' and the 'University College.' ". . . As the University is not instituted for tuition," it said, ". . . there is clearly no occasion for the nomination of University Professors. On this point it appears that there is an error in the wording of the Act . . . but . . . the error is not considered of any consequence, and

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[8]A topical and cogent article on the Irish Colleges appeared in the *Freeman's Journal*, July 4, 1850, being reprinted from *The Rambler*.

the designation of the Professors will be 'Professors of the University College.' "[9]

John Woolley, D.C.L. from Oxford, Morris Birbeck Pell, B.A. from Cambridge, and John Smith, M.D. from Aberdeen, all reached Sydney soon after June of 1852 to take up their appointments as the first Professors. They, too, were quick to spot the trouble and accordingly, they petitioned for a change in designation, and made a very sound case as follows:

"We observe," they said, "that whilst the lectures of your professors are open to all matriculated students, they are enforced only upon those who do not belong to some affiliated institution: these students, with the professors are formed into a nominal College . . . and we are informed from many quarters that this name (of College) has given rise to an impression that the Senate proposes as the model system of education one in which religious teaching shall bear no part. In the design as we understand it, namely, that the University makes no attempt to educate, but furnishes instruction on those branches of learning which all may pursue harmoniously together, and has no objection to affiliations of institutions (governed) by religious bodies, to provide home tuition and religious teaching for members of their communions, we are assured that very many, hitherto unfriendly, heartily concur. . . . Colleges will probably arise in connection with religious bodies: if they adopt the teaching of the Professors we shall probably attain that system, which it is the prominent object of the Royal Commissioners to restore at home—the general teaching of the Professors, supported and enforced individually by College tutors. But if the pupils of the various institutions were educated entirely apart, we cannot hope to escape the ill-effects which have resulted in Oxford and Cambridge from the over-growth of the tutorial system. The want of a central standard of teaching has not only caused much difficulty in the examinations, but has greatly impeded the advance of Science in both Universities. . . ."[10]

Being impressed by these arguments the Senate adopted the suggested course and the University, by the time it was inaugurated on the 11th of October, 1852, had assumed its present form as a central teaching institution, as well as an examining and administrative body. In the colonial circumstance the

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[9]Barff, *op. cit.*, p. 17.

[10]*Idem*, pp. 18-19.

decision was a practical one as the existing institutions for secondary education—and these were the ones Wentworth envisaged as being affiliated with the University in the first instance—were either defunct or barely fitted to teach at the secondary level, let alone at the tertiary. If it had have been left to them to provide the tertiary teaching it would have been a long time before the University could have been made to work; as it was, it was to struggle for more than 30 years, largely because of the inadequacies of the numbers of matriculants presenting themselves from secondary schools.

Yet, the taking of these decisions again threw heavy light upon what course was to be adopted with respect to religious inculcation. The favoured idea now centred upon the setting up of special denominational Colleges within the University and affiliated to it. At the inauguration both Nicholson and Woolley, in most learned addresses which I would commend,[11] dwelt at length upon the topic, and Nicholson, again, in his Vice-Provost's report of 1852 stated that the Senate would gladly see "that Theological teaching which the condition of this country forbids to a National Institution, and that Moral training, and domestic discipline, which no University is competent to undertake," supplied by private establishments within the University, after the model of the Colleges at Oxford and Cambridge.[12]

The next significant step was made by Dr. Tyrrell, the Anglican Bishop of Newcastle, and Dr. Cowper, Archdeacon of Cumberland, who took it upon themselves, in the absence of Bishop Broughton and who died soon after in Europe, to make an expression of official Anglican opinion in a memorandum addressed to the University Senate. (As the main points of this memorandum are amplified upon in a subsequent one I will not duplicate them at this point.) Subsequently, a lively correspondence was entered into through the columns of the *Sydney Morning Herald,* with Nicholson and Dr. Tyrrell being the chief protagonists.[13] In this, Dr. Tyrrell charged the University with having contravened its Act of Incorporation by assuming the duty of teaching. He also laid the charge of equivocation at the

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[11] *Vide,* Barff, *op. cit.,* pp. 22 *seqq.*

[12] *The Origin and Foundation of St. Paul's College Established Within the University of Sydney* (F. M. Stokes: Sydney, 1856).

[13] *The Church of England and The Sydney University,* 1852 (Kemp & Fairfax, Sydney).

feet of its authorities for "It is very amiable for their learned Principal to excuse or rather congratulate the University because it has first distinctly marked the boundaries between *secular instruction* and *education*" (as Woolley had done at the inauguration). "But the founders made no such distinction . . . their College without religious teaching was intended to be a model educational institution."

A good number of leading Anglican citizens did not agree with Dr. Tyrrell, however, and in their opinion the time was ripe to go straight ahead immediately and form a College, even though they had no exact conception of what they were aiming at. A meeting to this effect was held on December 15th, 1852, with the Chief Justice, Sir Alfred Stephen, in the Chair, and a proceeding to form "Queen's College" was set afoot. Not unexpectedly, Dr. Tyrrell and Archdeacon Cowper held aloof.

In the same time the University Senate, on its part, had applied considerable effort to the question of the future, and a Memorandum under the hands of Nicholson, Bishop Davis and Wentworth, dated March, 1853, is worth quoting as some length. "It is proposed," it ran, "to obtain a site . . . in a locality where a number (say four) of Colleges of Residence may be . . . erected within such distance of the University as to enable the students to attend the lecture rooms . . . without being exposed to distraction and loss of time necessarily occasioned by a long walk or ride. . . . If the direction of these Colleges, so far as moral and religious training are concerned, be committed to the heads of the four principal Religious Denominations recognised by the State, it is conceived that objections on the score of religion raised against the University as at present constituted, would be removed, and thus members of all denominations would unite in obtaining the great object of University education for our youth. . . . These Colleges would form portion of the University or at least necessary adjuncts to the University, and would consequently be so far subject to the surveillance of the Senate as may be necessary to secure the objects for which they were founded. Inasmuch as it is intended that the various religious denominations should be represented by their respective heads or their substitutes at the Board of the Senate, it is presumed that no real or practical difficulties will arise in the management of the Colleges. . . . Each of the four Colleges will require at least 20 to 25 acres, in order that the students may have ground for

recreation and that the College itself may have the adjunct of a garden. It must not be forgotten that in establishing the University we are providing for the wants and acquirements not of this year, nay, it may be said, not this century, but probably of many generations yet unborn."[14]

The Queen's College Committee soon had a considerable sum of money in hand, but the question of affiliation continued to be debated with much warmth. Finally, Bishop Selwyn of New Zealand, a close friend of Dr. Tyrrell, was invited to mediate. As a consequence a further Memorial was directed to the Senate, specifying more clearly Dr. Tyrrell's earlier one. In detail, it petitioned for: 1. Grants of land for colleges connected with religious bodies; 2. Endowments for lectureships, scholarships, and prizes in affiliated colleges for the encouragement of religious knowledge; and 3. (and I quote) "That with a view to the good of all and with no wish to exclude anyone from the benefits of the University system, we propose the adoption of a rule . . . that before any degree or honour be conferred by the University, every student shall be required to produce a certificate of competent religious attainment from the Principal of the affiliated college of the religious denomination to which the student belongs. . . . And if there be no such college in connection with the denomination to which the student belongs, that a similar certificate be required from such religious teacher or other responsible person as the Senate . . . may accredit for that purpose." It was also requested (4): that attendance at the University Professors' lectures should not be compulsory for college students.[15]

On the suggestion of Roger Therry, a Committee of the Senate consisting of Nicholson, Bishop Davis, the Rev. Mr. Boyce, Merewether, Plunkett and Wentworth conferred with the Memorialists, and after it had been intimated that the Anglican Bishops would offer no further opposition to affiliation if the proposal as to the religious certificate was agreed to, a compact was arranged whereby the Senate agreed to adopt the measure. At the same time the Memorialists compromised by agreeing that the professors' lectures should be compulsory on all students.

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[14]Votes & Proc. Legislative Council, N.S.W., 1854: "Documents with Respect to the 'Affiliated Colleges' Partial Endowment Bill.'"

[15]*Sydney Morning Herald,* August 1, 1853.

Hence, the back of the difficulties was just about broken. There then followed a meeting of the now united Anglican body (July 29, 1853) which was promoted by Bishops Tyrrell and Selwyn "to take measures for establishing a Church of England College in connexion with the University of Sydney." At it Sir Alfred Stephen especially acknowledged that the committee for "Queen's College" had been defeated by Bishop Tyrrell and his supporters, that unity of purpose and idea had been attained and that Bishop Selwyn was the person mainly responsible. In some token of this the proposed College was henceforth to be known as "Trinity;" later its name was changed to "St. Paul's."

Within the 12 months after July of 1853 various negotiations were entered into between the Legislature, the Senate and the promoters of the Anglican College, and from these there arose two Bills and one Grant—the Affiliated Colleges' Partial Endowment Bill, the St. Paul's College Bill and the Grant of 126 acres at Grose Farm for the University.

The first of the Bills had purposes "to encourage and assist the establishment of Colleges within the University . . . where systematic religious instruction and domestic supervision, with domestic assistance in preparing for the University lectures and examinations" was to be provided. To that end, once it was satisfactorily shown that £10,000 had been subscribed, the intended College became eligible to receive a £ for £ Government subsidy to a maximum of £20,000 for building. In addition the Government was to pay a yearly stipend of £500 to the Principal of the College. College students were to attend University lectures on compulsion except in Ethics, Metaphysics and Modern History and a special clause stipulated the necessity for a student to produce a certificate of competent religious attainments before he would be permitted to graduate. It is important to note that this last provision was passed without comment in 1854. Four years later it was rescinded on the motion of Dalley, with an almost equal ease, when only two or three Anglicans of the Parliament expressed themselves in favour of its retention. It was then freely asserted to be an infringement of democratic rights and to have been inserted originally only to obtain official Anglican sanction and support for the University which was deemed to be essential for its survival.[16]

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[16]Votes & Proc. Legislative Assembly, N.S.W., 1858, vol. 1, 421.

The St. Paul's College Bill had an uneventful passage through the Legislature and the Royal Assent was conferred on December 1st, 1854. The College was to be "in connection with the United Church of England and Ireland" and to provide "due religious instruction, in accordance with the doctrines and discipline of that Church." Its government was vested in a Warden, who was to be an Anglican clergyman, and 18 Fellows, of whom six were to be clergymen and 12 laymen. The foundation stone was laid on January 25th, 1856, and part of the College was ready for occupation at the beginning of Lent Term, 1858.

Bearing in mind the title I have chosen, at the risk of giving an exterior appearance of imbalance to this paper, I have dwelt at some length upon the foundation of the University and of the prototype College of St. Paul. Yet, it has been a calculated risk on two important counts. Firstly, the founding of St. Paul's had accomplished much of the 'hack' work for the founding of St. John's (and a grateful recognition is due to William Tyrrell); and, secondly, the interests of the Catholic citizens could not have been better served than they were by Bishop Davis, first and foremost, and by John Hubert Plunkett and Roger Therry, as very active first Senators of the University.

Bishop Davis' untimely death in May of 1854 was a most severe blow, not only to the Catholic Church here, but also to the University, to which he had devoted so much time and talent. In moving for the second reading of the College's Bill in 1854, Francis Merewether expressed a measure of the sense of loss felt by the Bishop's former associates. To Dr. Davis "perhaps, next to the honorable (Sir Charles Nicholson)," said Merewether, "the University was indebted more deeply than to any other individual. The sound views, the liberal opinions which he had ever advocated had done very much to promote that cordial co-operation on behalf of the objects of the University amongst all sects and parties on which its beneficial operations so mainly depended."[17]

The year 1854 was the 60th in the life of John Bede Polding, Benedictine; it was also the 35th year of his priesthood, and for just short of 20 years he had been the principal Catholic pastor in Australia.

For a picture, I give you the one that has become justly

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[17] *Sydney Morning Herald, November* 23, 1854.

famed, even if by paraphrase, and which first appeared in 1858 in a short-lived Sydney literary magazine called *The Month*.[18]

"No monk ever looked more like a monk than he. There is scarcely a secular sign in his face. It is a benign, lovable countenance, shaded, but not sombred, with the dim religious light of the monastic atmosphere of other days. It is a face dating long before shilling pieces and *Fid. Def.*

". . . Look at that long trailing grey hair, tumbling down his back like snow about the head of a brother of St. Bernard. Look at the mild, placid eyes, blue, yet burning as the twin orbs of Leda. Look at the forehead, broad and high and filled with noble thoughts. . . . The mouth, too, is a study. Power and patience . . . meet us at a glance in the fine Fra Domenichino visage before us. The double chin is a great point . . . it throws a touch of home and every-day passion into the face, like—to borrow a figure—the wine cellars under an old Rhenish Cathedral. What a world of good fooling and geniality there is about that chin! . . .

"The bearing of His Grace is particularly courtly. Here is a man, you say at once, who has moved in palaces, sipped from the Tabbia vessels of the magnificent Lorenzo, and hob-a-nobbed with Cardinals and Popes. . . . With him a gracious and delicate hand play almoner to a large and liberal heart.

"We have heard the most lavish praises bestowed upon him, and never, during our residence in Sydney, a single disapproving word. . . ."

This description from the pen of a non-Catholic certainly has caught the atmosphere of the Archbishop, as anyone who has had the pleasure of viewing the portrait by Anderson which hangs in the Great Hall of the University, and that by Patterson which graces the wall of the Refectory in St. John's, can appreciate. Moderate conversance with the subject enabled that description to be made. But for the writer to say that he had never heard a disapproving word spoken of Archbishop Polding —and, especially, for that to have been written in 1858—suggests that the writer was not being entirely honest, or else his experience was limited. For in March of 1854, Dr. Polding, with Abbot Gregory, his Vicar-General, had suddenly left Sydney for Rome, fully prepared to resign the See of Sydney into the hands of Pope Pius IX.

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[18]Vol. 2, p. 114.

"Why so?" you will ask. And for an answer I would direct you to the reports in the *Freeman's Journal*[19] of two meetings which were held in Sydney at the end of March of 1854. At both meetings Roger Therry was in the chair and in announcing the Archbishop's sudden departure and resignation, he expressed the view that this was the most critical event in the Catholic history during the 25 years of his own residence in the Colony.

Therry then went on to explain how the Archbishop had been disaffected by rumours and felt that his bad repute was detrimental to the mission. As to what those rumours were, Therry gave them as:

(1) That it had been stated and had reached high places in Rome that the mission was in spiritual destitution by reason of the unwillingness of the Archbishop to admit Irish or secular clergymen into the diocese unless they became Benedictines. . . .

(2) That the institutions favoured by the Archbishop—that is, St. Mary's Monastery, St. Mary's College, Lyndhurst, and Subiaco Convent—were not contributive to the true and best interests of religion.

(3) That the Archbishop maintained three "Palaces" with church moneys—again the same-named trio of institutions; and, further, that at Lyndhurst such moneys had been used for revels and festivities!

But worst of all, said Therry:

(4) Some domestic spy within the monastic walls had, by foul means, taken access to, and read, private correspondence and had given out distorted extracts.

Much as I would like to do so, there is neither the space, nor the necessity, I suppose, to delve deeply into the whole background of the relevant troubles and all I can hope to leave with you is some sort of sub-liminal impression.

In a brief summary in the latest *Australian Encyclopaedia*, an eminent authority has written thus:[20]

". . . However, at various times his (Dr. Polding's) administrative capacity was criticized. . . . Because he spent much time in travel, he had to delegate administration to selected priests, some of whom, the Benedictine, Dr. Gregory, for example, were injudicious in exercising authority. The Benedictine regime, starting with Ullathorne, was necessary and undoubtedly fruitful

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[19]March 25 and April 1, 1854.
[20]Vol. 7, p. 158.

in the early years, the monks supplementing the small numbers of diocesan priests. But, as a controlling force, it was allowed to continue too long in New South Wales. The Catholic population was predominantly Irish or of Irish extraction and once the diocesan clergy had increased in numbers and included such men as McEncroe, highly educated and administratively able, Polding should have made greater use of their services."

Viewing what I take to be facts in the contentions, this summary can be exposed to pretty severe criticism and a rather different interpretation arrived at. Yet it highlights where the trouble-spots were, as the issues largely boiled down to:

(1) Secular clergy versus Benedictine;

(2) Irish versus English;

(3) Dislike, in various guises, of Dr. Gregory.

The more one penetrates into these various aspects the more strengthened is the feeling that the principles of Christian charity were bandied by some leading Catholics, and not only laity, to suit ends that were not always creditable or just, during the 1850s. Indeed, the decade is one of the most interesting and critical phases of the Church in Australia, vying in importance with the Vaughan and Moran eras. Some hundreds of pages already have been written upon it, but the core has hardly been skirted, and it needs no prophet to tell you that many hundreds of pages have yet to come. In the final analysis, shadows there will undoubtedly be, but it will not be surprising if the much maligned Gregory emerges in a considerably more pleasant light than hitherto depicted, and that being achieved without detracting one iota from the unique stature of the worthy McEncroe.

Archbishop Polding's resignation was not entertained by Rome in 1854 and he and Dr. Gregory arrived back on January 26, 1856. An appropriate welcome was given and Plunkett presented an address. In replying to this the Archbishop said that he felt the welcome to be sincere and he hoped that henceforth dissention should be banished from amongst the clergy and that the wicked intentions and machinations of designing people would be effectually overcome. The past should be lost in oblivion, or only remembered as a warning in future. He hoped, also, that in the future, there would be no intermeddling with the affairs of the Church, that the Archbishop would attend to his duty; the

Vicar-General to his and the clergy and people each to their respective vocations.[21]

But no real settlement of any topic had been effected and the currents continued through 1856. Archdeacon McEncroe, seeing that the Archbishop's deliberations in Rome had not resulted in any definite decision as to his suggestions about new dioceses, wrote to the Archbishop of Dublin in April and solicited his advocacy at the Papal throne.[22] The *Freeman's Journal* continued to display a spirit of disaffection toward the Archbishop, who found himself obliged to disavow any connection with the paper, and which retorted that it "didn't want to win patronage from His Grace . . . or the Vicar-General, neither of whose names has been on the subscription lists for nearly three years," assuming that their Irish utterances and principles "had aroused the delicate English susceptibilities" of the reverend gentlemen.[23] It was also intended that Dr. Gregory would go to Rome again early in 1857, partly on the business of the Benedictine community which continued to give concern.

In May of 1857 there appeared in the *Freeman's Journal* a series of letters headed "Catholic Interests in Australia," written under the nom-de-plume of *Icolmkill* by William Augustine Duncan, that was to have far-reaching influence. Some, no doubt, will recognise in Duncan the editor of the *Australasian Chronicle,* the first Catholic paper to be printed in this territory. Duncan was in Sydney from the latter part of 1838 until 1846 and largely engaged in pursuits of literature and political discussion, using the columns of the *Chronicle* in the years 1839-43 and then the *Weekly Register* until 1846, as the vehicle of his—as they were then termed—Liberal ideas. On the offer of Governor Gipps he became Collector of Customs at Moreton Bay in 1846. Hence the *Icolmkill* letters were written from the northern settlement. As Duncan speaks of a general scene it will be useful for you to have some statistics covering the Colony of New South Wales, including, as it did then, the future Colony of Queensland.

At March 1st, 1856, the total population was slightly in excess of 266,000, of whom 113,000 were listed as being born in the Colonies, 74,000 in England or Wales, 50,000 in Ireland, 16,000

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[21]*Freeman's Journal,* Feb. 2, 1856, quoting the *S.M.H.* report.
[22]Cardinal Moran, *op. cit.,* p. 781.
[23]*Freeman's Journal,* April 26, 1856.

in Scotland, and 12,000 elsewhere. Catholics numbered 79,000 or 3 in 10 of the population, while Anglicans were 49.5 per cent, Presbyterians 10.5 per cent and Methodists 6 per cent.

The backwardness of the Catholic population as regards education was reflected in the figures that only 51.5 per cent of the 7-20 age group could read and write, while of those over 20 only 55.5 per cent were so accomplished. Both figures were considerably lower than the averages for the whole population. In the older age group, again, approximately 2 out of 3 Catholic males could read and write, but the figure for women was barely more than 2 in 5.[24]

To tend to the spiritual needs of the Catholic population in 1857 there were the Archbishop and 17 priests (of whom 7 were Benedictines) ministering to about 24,000 persons in the city and suburbs, and a further 38 priests (of whom 2 were Benedictines) on the country missions.[25]

Duncan, in the first of his letters, wrote as follows: ". . . it cannot be but that there is much in our character, position and circumstance as a body, whether regarded in a moral or intellectual, an ecclesiastical or political point of view, which must have given rise to serious reflection in the minds of every sincere and thoughtful professor of our holy faith in these colonies.

"Hitherto we have talked to, and of, our own body in a strain of self gratulation, which is, I think, unwarranted by our actual state. We are one-third of the community—we may by our numbers influence elections. Nor are we in other respects inferior to our neighbours. Are we not of that noble Celtic race, which has scattered learning and religion over Europe; founded her Universities; and who now, even in our depressed and impoverished state, are carrying the same blessings to the jungles of the East and the backwoods of the West? These, and much finer things, we have been told in the columns of the *Freeman*. And then as to our clergy, hyperbole is exhausted in their praise; if they perform their most obvious and indispensable duties in visiting a school or holding a mission the feat is gazetted as an extraordinary exertion of pious zeal. . . .

"If we are numerous, we are still insignificant in the body

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[24]*Census of the Colony of New South Wales, March* 1, 1856: (W. Hanson, Government Printer, Sydney).

[25]H. N. Birt: *Benedictine Pioneers in Australia* (Herbert and Daniel, London: 1911), vol. 2, p. 309 *seqq.*

politic; the census pronounces us the most ignorant portion of the community. We have barely two or three representatives, I believe, in the whole Legislative Assembly. . . . If, by our numbers, we succeed in influencing certain elections, it is often, perhaps always, effected by means, common enough, no doubt, but nevertheless repugnant to the true spirit of Catholicism. If our Celtic race has much to boast of, I believe it has much to deplore: . . . its love of country when transported into other countries and fostered there becomes a real disease, preventing it from amalgamating and identifying itself with the general stock of the country it inhabits. . . . Our religion is neither English nor Irish, but Catholic; and our patriotism, if we would hold our proper place here, must be neither the one nor the other, but Australian. Our laity are generally ignorant and unfit for those high places which it is desirable they should fill in common with others in the colony."[26]

Rather oddly, the echo of this letter was taken up in yet another attack on Lyndhurst College, which had been under fire almost from the day of its foundation in 1852. Already you have seen it spoken of as one of Archbishop Polding's three 'Palaces.' Again, it was asked: what use was it to a boy to learn Latin, Greek, play acting and the like? As for fees, they were always too high. But worse than this, as a *Celt* wrote in 1856: not only had the Union Jack been raised over the Cross at the College, but an Irish priest had helped with his own hands to put it there!

Those were earlier contentions. In the present instance, the typical *Paterfamilias* asserted: "how many parents placed their children at Lyndhurst, with implicit confidence in the masters selected by ecclesiastical authority, only afterwards to find they had better have kept them at home."[27]

Paterfamilias' comment evoked a ready response from Father John Sheridan, one of the Benedictines largely connected with Lyndhurst. In a defence, to which was attached a rejoinder, he concluded by writing: "Nothing since the establishment of the College could equal (Dr. Polding's) zeal for its advancement, save the apathy of some of the laity. Why do not *Paterfamilias* and his practical friends unite and exert themselves to raise the

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[26] *Freeman's Journal*, May 16, 1857.
[27] *Ibid.*, May 30, 1857.

sum required for erecting a Catholic College in connection with the Sydney University?"[28]

Here again, *Icolmkill* was back in the line, his main point in the second instance being: "The proper means of providing a higher order of education for our wealthy Catholic laity is . . . a College in connection with the University. On this point I cannot conceive that there exists any difference of opinion among us, but I wonder exceedingly that no steps have yet been taken towards a measure so obviously necessary. If our youth are to compete with others, in the senate and in learned professions, they must take their degrees at the University with others: the sooner, therefore, that we imitate the example set us in that respect by the members of the Church of England the better."[29]

Further correspondence of the same nature showed a fair deal of interest in the topic. Hence Archbishop Polding's Pastoral on the matter of a University College, which Cardinal Moran dates as being issued on June 21st, 1857, but which was not made public until about a month later, was auspiciously timed. This Pastoral is a beautifully composed document—and, without detracting from the Archbishop's own learned style, one can feel Makinson deeply in it. But it is necessarily too long for extensive quotation and I can only give you portions of the opening and concluding paragraphs.[30]

In the commencement, it said: "Circumstances have delayed to a period much later than we could have wished, our address to the faithful of the Archdiocese on the subject of the Sydney University. It is a subject so interesting in itself and so fraught with peculiar advantages to the Catholic body of this land, that we have a good hope of finding that our unwilling delay has but rendered the importance of such an institution more definite and familiar to your minds. . . . If we have not been the first in the field, let us redeem the delay by an energy and devotion so much more noble and sustained.

"The Government has made a munificent provision, and has already accomplished a liberal share of the great work. . . . The rest is to be forwarded concurrently with those in whose behalf the University is founded. The different bodies will thus be enabled to manifest their appreciation of what has been done

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[28]*Ibid.*, June 5, 1857.
[29]*Ibid.*, June 20, 1857.
[30]For full text *vide*: *Freeman's Journal*, Aug. 1, 1857.

for them, severally out of the common purse; they will justify the assignment of separate portions by their kindly rivalry; and they will secure to themselves the unrestricted exercise of peculiar arrangements which they feel themselves bound in conscience to maintain. So far as human policy can be hoped to solve the problem of securing a common tendency in various paths the plan adopted appears practicable, as it is most certainly liberal. It shall not fail, we venture to promise in your name, so far as a hearty co-operation from the Catholic community can aid in achieving success. Our adopted country, in the true spirit of generous hope, makes a great gift for a great purpose: be it yours to give fruition to this hope. . . ."

And in conclusion, it runs on to say: "If anyone indulges in visions of worldly ambition, and is smitten with what are in truth the marvellous capacities and prospects of this country, let him reflect that those capacities can be wielded, and those prospects realised, only then when the land shall supply its *native* race of priests and statesmen, of lawyers and physicians, of soldiers and sailors and artists. Education, as it is forwarded by Universities, trains in happier subjects a noble and refined spirit. It has something of the nature of faith in it; and it works long at the discipline of faculties and the promotion of tastes, without turning aside and resting in the more marketable aptitude and skill which necessarily bound the aim of a lower education. Neither is it to be overlooked that, next to the influence of religion, the common pursuit of science and literature in their highest forms will tend to make us thoroughly Australian in the best sense of the word. . . . Two of the greatest sources of temptation are open to us—wealth and power: strive, we entreat you, so as to have your sons formed, that in the noble Christian spirit, they may have money as though they had it not; that they may look upon power as a sacred responsibility, only to be assumed, without ridicule and mischief, by men who are fortified by every intellectual and moral fitness. . . ."

Events thereafter moved quickly. A preliminary meeting was held in St. Mary's Seminary on July 24th and even then £5,500 was subscribed or promised. A larger meeting was planned for July 28th, but because the weather was inclement and only 500 persons had braved the elements to attend, the business was adjourned until the evening of August 3rd. Both of the latter

meetings were held in the Cathedral with Archbishop Polding as chairman.

In re-opening the proceedings on August 3rd, the Archbishop said that "whatever differences of opinion may have prevailed hitherto on the subject of education—and I admit differences have prevailed—will be subdued by this institution. I have no doubt that through its foundation we shall attain the first stage of the mountain we have to climb, and that through its aid we shall eventually reach its summit. The college will be the key to admit us to the precincts of the noble University, where education of the highest order may be imparted—otherwise we could not avail ourselves of the University."[31]

The meeting of August 3rd was indeed an historical event and the list of speakers as notable as it was possible then to muster: Roger Therry, Dean Lynch of Maitland, Plunkett, Archdeacon McEncroe, Peter Faucett, Dean O'Connell, Bishop Francis Murphy of Adelaide and William Bede Dalley (then a young man and quickly ascending the lower rungs to outstanding fame) each spoke and to good effect. But it was Therry's oration which fired the evening and undoubtedly engendered the rather bewildering response that ensued.

One point only will I take from his address.[32] "It is," he said, "the first occasion within the last 300 years on which we, as Catholics, have met in grateful recognition of the favour and service of a truly parental government, in conferring upon us an endowment of a College for the education of our youth in affiliation with an University established on the just basis of civil and religious liberty." Hence, Mr. Chairman, St. John's was unique in its day: it was the first University College for Catholics founded in any part of the British Empire in the 300 years since the English Reformation. This fact, and the idea which was promoted that the Catholics were joining in a friendly race and were not going to be outdone by the other denominations, were important factors of enthusiasm.

At that meeting in St. Mary's £6000 was subscribed in cash and between £5000 and £6000 promised. Almost immediately there followed meetings in the country districts. At Goulburn Dean Walsh took the chair; at Maitland it was Dean Lynch and at Bathurst Dean Grant. At Armidale the meeting was addressed by a liberal Protestant and the sexton of the Episcopalian Church.

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[31] *Freeman's Journal*, Aug. 11, 1857.
[32] *Idem.*

Farther to the north, Dean Rigney, Duncan and Dr. Milford were the principal promoters of the movement at Moreton Bay. Indeed, all over there were meetings and the funds mounted rapidly and typical, perhaps, was the response by West Maitland, which, as Dean Lynch wrote: "will contribute £1000 at least. When you think of the three floods and the great losses, this sum must be considered truly creditable to any people."[33]

This enthusiasm had its drawbacks, however, for it was not until almost two years later that it was possible to give anything resembling an accurate financial statement. It then resolved that after straightening "perhaps the most chaotic material ever before accepted as the basis of an account"[34] that total subscriptions appeared to be £22,805/16/-, though the sum eventually realised was just short of £17,000.[35]

With the success of the campaign for subscriptions more than assured, the way was clear for the speedy introduction of the St. John's College Bill into the parliament. Its intention and various clauses paralleled those of the St. Paul's College Act, with appropriate changes to fit the circumstances of the two Churches. Hence, it had an easy passage and the Governor's assent was given on the 15th of December, 1857.[36]

The next step, in accordance with Clause 8 of the Act of Incorporation, was the election by the subscribers, under the guidance of the Visitor, of the first Fellows of six priests and 12 laymen. On the face of it, this appeared to be a fairly simple matter. Yet the election produced an upheaval in Catholic circles of most far-reaching consequences. Primarily, it arose from the questions: who had the right to nominate, who had the right to vote, who was eligible for election, and who was to be nominated. From there it quickly became heated, personalities were stooped to, sides assumed, and in the climacteric the whole was crystallised into the bitterest and most open attack of intestinal origin yet to be made upon the ecclesiastical administration.

Suffice to say, however, that the election of the Fellows that was first mooted in early January of 1858, was effected finally in

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[33]Letter in St. John's College Archives.
[34]*Ibid.*, Report of Finance Committee to Council, November, 1859.
[35]*Ibid.*, Subscribers' Cash Book.
[36]Immediately the Governor had given his assent, the Anglican Bishop, Dr. Frederic Barker, raised points of ecclesiastico-legal objection, which were transmitted, at his request, to the Colonial Office, his aim being to have the Queen's sign manual withheld from the Act. This objection eventually was overruled.

St. Mary's Cathedral on the evening of June 16th: that is, nearly six months later. Describing the atmosphere of the final meeting the *Freeman's Journal* said: "The adherents of some of the aspirants to the dignity of Fellow evinced considerable ardour in their support, while subscribers could be heard in all directions canvassing with the liveliest interest the relative claims of the various persons put forward; in fact, a rather excited anxiety was apparent in all, yet everything passed off in the best possible spirit of harmony and goodwill."[37]

For the actual voting there were no less than 50 names to choose the 18 Fellows from. No wonder, then, that the ballot took one and a half hours to complete and the counting another four, and it was not until one o'clock in the morning that the Archbishop was enabled to announce the result.

And that result showed that Archdeacon McEncroe and Archpriest Therry were at the head of the clerical lists, being followed, in order, by Father John Sheridan, Father Michael Corish, Abbot Gregory and Father Jerome Keating. For the laity the order of election was: Plunkett, Therry, Peter Faucett, Ed. Butler, Randal Macdonnell, Andrew Lenehan, Richard O'Connor, T. C. Makinson, J. V. Gorman, J. K. Heydon, W. C. Curtis and W. M. Davis.

A few days later these Fellows met at St. Mary's for the purpose of electing a temporary Rector. For this there were three nominations—Dean O'Connell, Dean Lynch and Father Norbert Woolfrey. At the first vote Dean Lynch was eliminated and the second count showed ten in favour of Dean O'Connell and eight for Father Woolfrey. Hence, Daniel Vincent Maurus O'Connell, O.S.B., was not only the first Australian-born man to be ordained priest, but also the first Rector of St. John's, on the understanding that his occupancy of office was only to be until such time as a permanent Rector would arrive from Europe.

With the offices being filled, the Governor proclaimed the Rector and Fellows a body corporate as from July 1st, 1858, and the College henceforth began to live. In a sense, it began to work four days later when the full Council held its first meeting.

R. A. DALY.

St. John's College, University of Sydney, Camperdown.

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[37] *Freeman's Journal*, June 19, 1858.

Moral Theology

THE MARRIAGE CONTRACT AND FAMILY LIMITATION.

Dear Rev. Sir,

Would you kindly explain if there is a violation of the marriage contract in the actions of husband and wife who plan to have only a certain number of children? In particular, does the use of contraceptive devices constitute the equivalent of conjugal infidelity?

Ignorans.

REPLY

Family limitation may be lawful, if the circumstances require that a couple should refrain from being the parents of more than a certain number of children, or even from having children at all. The morality of family limitation depends on the reasons for which the parties desire to restrict the number of births, and more so on the means they adopt to achieve this end.

If both parties consent to the limitation of the family, they have not thereby violated the marriage contract, though their manner of acting in the married state may be worthy of censure for other reasons.

Were one party to refuse the marriage debt, contrary to the reasonable request of the other, with a view to avoiding pregnancy, he (or she) would be guilty of an act of injustice, which may be considered a violation of the marriage contract, though it is more accurately a non-fulfilment of the obligations arising from the contract. Likewise, the use of contraceptives by husband or wife, against the wishes of the other spouse, is an act of injustice, as he (or she) has a strict right to normal and natural intercourse.

Should both parties agree to use contraceptives, it seems that neither commits a sin against justice, since each has voluntarily, though sinfully, surrendered the right acquired when the marriage was contracted.

Justice, however, is not the only virtue which regulates the relations between man and wife in the married state. The inordinate use of the faculty of procreation, with or without the consent of the other party, is a violation of the virtue of chastity.

Chastity demands that the unmarried abstain from all use of the generative faculty, and that the married use it in such a way that they place no obstacle to its achieving its effect, according to the order of nature. Intimacy between married couples, had in such a manner that the purpose of the generative faculty is deliberately and artificially frustrated, is a sin against conjugal chastity. Such acts are against the natural law and are never permitted, whatever be the marital relationship existing between the persons who do them.

To clarify these summary statements, let us consider what the state of marriage is, the nature of the contract whereby man and woman enter it, and some of the obligations which devolve upon married people.

In the first chapter of the book of Genesis it is written: "God created man to his own image; to the image of God He created him. Male and female He created him. And God blessed them saying: Increase and multiply and fill the earth," etc.[1] The work of propagating the human race was designed to be brought about by the union of the two sexes, male and female, each of which was to contribute to the formation of the new members of the race. The end in view in the creation of the different sexes was the good of the race, by providing for children who would continue it in their turn from generation to generation. Another purpose in the divine design was that in each other's company man and woman would find comfort and help. "And the Lord God said: It is not good for a man to be alone; let us make him a help like unto himself."[2] It was thus the first woman was made. "And the Lord God . . . brought her to Adam. And Adam said: This now is bone of my bones and flesh of my flesh. . . . Wherefore a man shall leave father and mother and shall cleave to his wife: and they shall be two in one flesh."[3] The desire for sexual union was under the control of reason. "And they were both naked . . . and were not ashamed."[4] After the fall, they sought to clothe themselves; from which we may deduce that the flesh had rebelled against the spirit and they felt the sting of concupiscence. After they were cast out of the garden of Paradise, "Adam knew his

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[1]Gen. 1:27, 28.
[2]Gen. 2:18.
[3]Gen. 2:22-24.
[4]Gen. 2:25.

wife; who conceived and brought forth Cain, saying: I have begotten a son through God."[5]

In this simple narrative we have the foundations of the Christian teaching concerning marriage—a teaching which but helps us to understand what reason dictates. It may be summed up in three sentences: (1) God endowed man with the faculty of procreation, first and foremost, for the sake of the good of the race. (2) The proper exercise of the procreative faculty is restricted to those who are joined in a permanent union of one man and one woman. (3) In this union they will find mutual help, which will enable them to live as becomes those who are made to the image and likeness of God. It will provide them with the right and opportunity to satisfy the desires of nature, according to reason and God's commands, and so will be a remedy against the concupiscence of the flesh. Under the law of nature and under the Old Dispensation, marriage had fallen to a degree from its pristine dignity. God allowed a divorce for special reasons because of the hardness of the hearts of the Jews;[6] and a plurality of wives was countenanced and put into practice, even by the holy men of the Old Testament. But Christ restored marriage to its original dignity, when he condemned divorce for any cause, and declared that "from the beginning it was not so." Further, he raised the marriage contract to the dignity of a Sacrament which gives grace to those who receive it worthily and a pledge of life-long supernatural helps to enable them to fulfil the duties of the married state.

Marriage is a bond freely and mutually accepted by one man and one woman, for the purpose of sharing their lives so intimately that they surrender to each other the exclusive and perpetual right to a physical union from which can come a new human life, according to the order established by the Creator. In the exercise of this right, they both satisfy the appetite of nature and foster a love for and an attachment to each other, which will enable them to bear together the trials of life and care for the children who may be born of their union. In short, according to the classical definition, marriage is a marital union of man and woman, entered into by those who are legally capable, and

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[5]Gen. 4:1.
[6]Mt. 19:8.

demanding an indissoluble companionship for life.[7] (a) Marriage is a union (*Coniunctio*), i.e., a joining together of individuals to attain a common end by use of common means. It is a society which is freely entered, but once joined carries with it rights and duties of a special kind flowing from the nature of the society itself. The word "union" can be understood as the permanent state of those who are married, or the act which brings the state into being. Every voluntary society is entered into by an agreement or contract; and marriage is no exception. The marriage contract will be referred to later in this reply.

(b) Marriage is a marital union (*coniunctio maritalis*), or a society in which the members bear towards each other the relationship of husband and wife respectively. This status gives to them the right to those acts which are proper to husband and wife, and can be performed lawfully only by those who are united in wedlock. These are the acts whereby children are conceived, and constitute what is called the conjugal act or copulation or sexual intercourse. Children are not conceived by every act of intercourse, but in the order of nature they are conceived in no other way.

(c) In marriage there is a marital union of a man and a woman (*viri et mulieris*), to the exclusion of all others. The words "man and woman" express the essential property of marriage, which is its unity. "They shall be two in one flesh." To the unity of marriage are opposed acts of infidelity by adultery, as well as the habitual state of polygamy, or, what is more debased, polyandry. It is possible for children to be born of adultery and of polygamous unions; but the human offspring demands the care of both parents for its proper upbringing. This care is usually denied to children of adultery, and made exceedingly difficult where the attention of a polygamous father is divided between rival consorts and different families. The proper education of a family demands that both parents devote to it their united attention and affectionate devotion. The magnitude of the task would lead to inevitable neglect were one parent to undertake the education of several families; while jealousy between the different spouses and their respective families would

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[7]Matrimonium est viri et mulieris maritalis coniunctio inter legitimas personas, individuam vitae consuetudinem retinens. (Catechismus Romanus, Pars. 2, c. 8, III. Cf. S.T. Suppl. q. XLIV. art. 3).

shatter the domestic peace and tranquillity needed for the proper physical, intellectual and moral training of growing children.

(d) Marriage requires that the union be indissoluble (*individuam vitae consuetudinem retinens*). The companionship begun at the time of marriage is for life. The newly born infant develops but gradually, and in most civilised communities it is recognised that he does not attain the age of full responsibility till he has reached 21. The task of rearing a family will occupy the greater part of the lives of both father and mother. When the children have finally left them, they feel all the more the need for mutual help and companionship in their declining years; they have become more attached than ever and the idea of separation is abhorrent to them. The second essential property of marriage is indissolubility.

This is the state in which man and woman are united by the bonds of matrimony. It includes three advantages or goods (*bona*). The first is the advantage of children (*bonum prolis*) which is the primary reason for marriage. Allied to this and because of it is the *bonum fidei*, or the exclusive union between husband and wife, whereby they are one, helping each other and perfecting each other as the instruments of God in the furtherance of the divine plan to people the earth and provide citizens for the Kingdom of God. Finally, there is the *bonum sacramenti* which makes the union indissoluble with a special permanence since the time of Christ, who emphatically declared "what God hath joined together let no man put asunder."[8] Christian marriage has an added dignity, as we have seen, since it is one of the seven Sacraments. It is an image of the union which exists between Christ and His Church.[9]

What brings into being the exclusive and perpetual bond between husband and wife is the marriage contract, which is a transient act and between Christians a sacramental rite. A contract consists of the consent of the contracting parties to the transfer of some right. There are only two parties to this contract, which is perfectly bilateral. The man and woman each give and receive an equal right, which is the matter of the contract.[10] That each may know of the consent of the other party, they

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[8]Mt. 19:6.
[9]Ephes. 5:32.
[10]C.I.C. can. 1111.

must externate their act of the will in some intelligible manner; and since marriage has its effects on society, both ecclesiastical and civil, Church and State require that the marriage be contracted according to a manner prescribed by law. The doctrine of the Church is contained in the Code of Canon Law: "Marriage is effected by the consent of the parties, lawfully expressed between persons who are capable according to law; and this consent no human power can supply."[11]

The right given and received in the marriage contract is that about which the parties consent, namely, "the perpetual and exclusive right over the body, for acts which are of themselves suitable for the generation of children."[12] As St. Paul wrote to the Corinthians: "The wife hath not power of her own body, but the husband. And in like manner the husband also hath not power of his own body, but the wife."[13] The following points are worthy of mention:

(a) The object of the contract is not the conjugal act, but the right to it. Consequent on the marriage, the husband and wife each are bound in justice to comply with the reasonable request of the other party to perform the marriage act. "Let the husband render the debt to his wife, and the wife also in like manner to the husband."[14] On the other hand, they may agree by mutual consent to abstain from the use of their rights. This is not always to be commended, because of the danger of incontinence. "Defraud not one another, except, perhaps by consent, for a time, that you may give yourselves to prayer; and return together again, lest Satan tempt you for your incontinence."[15] Provided there is no danger of sin, and some good motive inspires them, the couple may forego the marriage intimacies by mutual consent. A non-consummated marriage is a true marriage and the infrequent use of marriage does not weaken the bond which unites husband and wife. Though the reasons for abstention from marriage be not valid, and based on some unlawful desire, no injustice is done if both parties consent. It is true that the very state of marriage demands that those who enter it should contribute to the good of the race by providing for the citizens of

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[11]ibid. can. 1081, par. 1.
[12]ibid. can. 1081, par. 2.
[13]1 Cor. 7:4.
[14]1 Cor. 7:3.
[15]1 Cor. 7:5.

the next generation, unless they have some good reason to excuse them;[16] but what we wish to stress is that the marriage contract is not violated by abstention mutually agreed on. The principle: *Scienti et volenti non fit injuria,* holds.

(b) If the contract is not directly concerned with the exercise of marital relations, it is less concerned with the actual begetting of children. The conjugal act is a human act and the parties can and do give and receive the right to perform it; but the actual conception and bearing of children is an *actus naturae,* beyond the control of man, and so could not be the matter of any obligation. All the parties can be bound to is to put no obstacle to the course of nature, and not to hinder the conception of a child. The wife, who takes measures after coitus to destroy the semen before conception can take place, gravely sins against nature by frustrating the actions of an important bodily faculty. If her husband does not consent, she would seem, in addition, to violate his rights, as he may justly expect that she will not prevent the effect of the marriage act. Nevertheless, the act was an exercise of the rights acquired in the marriage contract; the unlawful interference with its effect occurred subsequently. At least, she violates the virtue of piety with regard to her husband, and the sin is a grave one.

When the circumstances demanded by nature are present, conception will follow in due course. What all these circumstances are is not precisely known, but it is established that sterility is a condition that permanently affects all women after the menopause; and even during the years that precede it, they are capable of conception for only a few days of each monthly cycle. Likewise, there are conditions which cause sterility on the part of the man. Sterility in either of the parties will render the conjugal act fruitless, but the fault is not one which has its origin in the human will; it is the result of a defect of nature.

(c) The acts to which married couples have a right are those

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[16]Pope Pius XII. Discourse to the Italian Association of Midwives, 29th Oct., 1951 (A.A.S. 1951. p. 844-846). "Marriage binds to a state of life which, while conferring certain rights, at the same time imposes the accomplishment of a positive work which belongs to the very state of wedlock. . . . Serious reasons often put forward on medical, eugenic, economic and social grounds can exempt from that obligatory service, even for a considerable period of time, even for the entire duration of the marriage," Cf. A. C. Record, 1955, pp. 331 seq.

which are in themselves suitable for the generation of children (*ius in ordine ad actus per se aptos ad generationem prolis*). This means normal sexual intercourse according to the order of nature.[17] It is by this act that husband and wife become "two in one flesh," a single principle whence springs a new human life. To this act and all that directly or indirectly leads up to it they have a right. Normally, they will share a common dwelling (*communitas mensae et tori*), there will be a close union of soul between them, and some common temporal possessions for the ordering of their united life.

It will be evident that contraceptive practices are incompatible with the generative act: in fact, their purpose is to make the common sexual actions between husband and wife no longer capable of generating children. Such acts are unlawful as a frustration of the power of reproduction with which the Creator has endowed man. Married people are no more excused when they so act than are the unmarried; they acquire no right to any act of intercourse which is not in itself capable of bringing about conception. Whence would they obtain it? Not from the marriage contract, which is expressly concerned with generative acts; not from their own accord, since they may not use their faculties against the order of nature. The sexual faculty is primarily for the good of the race and not immediately for the benefit of the individuals who exercise it. Contraception turns what should be of benefit to the present and future members of the human family into a means of individual satisfaction, to the exclusion of every other purpose. It is always a grave sin against the virtue of conjugal chastity, which regulates the use of the faculty of reproduction according to right reason. St. Augustine, in his *De Nuptiis et Concupiscentiis* distinguishes various classes of married persons. There are those who come together for the purpose of having children, and these commit no sin. Then, some seek in the married life the pleasures of the flesh, though they do not enjoy them outside marriage. This class are guilty of venial sin, and use the honest state of marriage as a cover for their turpitude; they are spouses in name only. The third class are more debased, for they go so far as to procure for themselves the blight of sterility; and if perchance

[17]Copula coniugalis definiri potest: Actio qua homo, naturali modo, in mulieris vaginam verum semen effundit.

they do not succeed in this, they destroy the child in the womb and wish it to die rather than live. Married couples who deliberately make their conjugal relations sterile are placed in the same category as those who procure an abortion. "If both are in this class, they are not spouses; and if they were like this from the beginning, they came together not in marriage but in debauchery. If both are not guilty, I would dare to say that the wife is in a sense a prostitute to her husband, and the husband an adulterer to his wife."[18] Of course, abortion and contraceptive intercourse are not the same in every respect, but they do agree in this that the effect of marriage intercourse is frustrated. The husband or wife who deprives the partner of children, prostitutes the marriage state and is not unlike one guilty of adultery. Unlawful use of marriage is a betrayal of a sacred trust.

A case for the use of contraceptives cannot be made by the argument that there are other purposes in marriage besides the propagation of the race, not the least of them being to provide a remedy for concupiscence. If the parties have every good and lawful reason not to desire children, it has been claimed, should they then be denied all the benefits of the married state? By the use of contraceptives, the sexual appetite is satisfied between husband and wife, and the danger of conception is avoided. By concupiscence in the context is understood the urge to satisfy the sexual appetite and enjoy the gratification that is naturally associated with its activities. By admitting that concupiscence needs a remedy, we do not mean that it is something evil in itself, but that if not ruled by the rational faculties, it is liable to entice man to commit evil in his craving to satisfy it. The remedy is to direct it to its proper purpose, by exercising it in the married state so that the act in itself, as far as lies within the human power of man and woman, is an act of generation. In other words, the remedy for concupiscence is the exercise of proper marital relation, the *actus per se apti ad generandum.* Contraceptive intercourse is not a remedy for concupiscence, but a means of giving way to it, seeking the pleasure of sexual

[18]De Nuptiis et Concupiscentiis. 1., c. 15., n. 17. P.L. 44:453. Prorsus si ambo tales sunt, coniuges non sunt: et si ab initio tales fuerunt, non sibi per connubium sed per stuprum potius convenerunt. Si autem non ambo sunt tales, audeo dicere, aut illa est quodam modo meretrix mariti, aut ille adulter uxoris.

acts contrary to their natural use. It is rather an increase of the evil effects of concupiscence, directing it towards an unlawful and un-natural end. Married couples are certainly entitled to seek the secondary ends of marriage, provided they do so by the exercise of the conjugal act, and not by the perversion of it. Those who are afflicted by sterility must be content with the secondary purposes of marriage: the promotion of mutual help and attachment, and the satisfaction of concupiscence. If conception will not ensue because of a natural disposition—temporary or permanent, known or unknown to the couple—the husband and wife are still free to become "two in one flesh," and can do so by the human act of normal intercourse. When there is sufficient reason for declining the responsibilities of parenthood, by mutual consent, husband and wife may restrict the use of marriage to the days when conception is most unlikely. These days, it may be remarked, are far in excess of the times when intercourse would be fruitful. Some self-denial will undoubtedly be required, but the life of a Christian implies a readiness to practise self-denial for the sake of virtue. Chastity, whether in the celibate or the married state, is a part of the virtue of temperance, which prompts us to subordinate the desire for sense pleasure to the dictates of reason. In our present fallen state, it may not be always easy to resist the temptations of the flesh. The married as well as the unmarried have been known to fall victims to them. Reason enlightened by revelation shows the way, and good will strengthened by grace will find the means to enjoy the pleasures God meant man to have and at the same time to avoid abuse and excess.

When husband and wife agree to limit the number of children they will bring into the world, they have not violated the marriage contract. If they so decide for no good reason, they fail to justify their undertaking the married state in which the normal result is offspring.

The use of contraceptives in marriage hinders the rendering of the marriage debt. It is not considered as conjugal infidelity, as this term is usually applied to adultery, which is intercourse by a married person with one who is not his (or her) lawful spouse. Contraceptive intercourse is more depraved than adultery, for it is against the primary purpose of the sexual faculty, which is a natural instrument of procreation. One would

not be far from the truth in saying it is on a par with conjugal sodomy.[19]

THE EUCHARISTIC FAST

Dear Rev. Sir,

1. Prior to the recent modifications, the Eucharistic Fast commenced at midnight precisely (reckoned according to true, mean or legal time). Also, any food or drink, however small the quantity, taken after midnight, prevented a person from receiving Communion on that day. Is the same strict interpretation to be followed now in computing the three hours or one hour, during which one must abstain from solid food (and alcohol), and liquids other than water, respectively? Also, will the smallest amount of food or drink taken during the period prescribed for the fast make it impossible for a person to communicate?

2. How sick must one be to avail of the benefits to which the sick are entitled?

Ieiunans.

REPLY

1. Regarding the quantity of food or drink taken, it would seem certain that the new fasting laws do not permit of parvity of matter. A person cannot receive Holy Communion for three hours after taking solid food or alcoholic drink, even in the smallest quantity, and for one hour after drinking liquids of any other kind except water (unless he is sick and may take non-alcoholic liquids and true medicine without restriction). The reason is that the fast is something indivisible. Either a person is fasting or he is not—there is no medium; and a small quantity of food or drink breaks the fast equally with a full meal.

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[19]Sodomia coniugalis est congressus in vas indebitum. Scripsi in textu copulam ope instrumentorum contraceptualium habitam non multum distingui a sodomia coniugali, quia cum instrumentum impediat quin semen in vaginam ingrediatur, effusio seminis fit cum affectu erga propriam uxorem—et ideo caret malitia adulterii—sed non recipitur a muliere in vaginam, immo nullo modo recipitur quia deest contactus immediatus inter organa generationis viri et uxoris. Si vero mulier os uteri pessario clauserit, quaeri debet num vagina maneat organum generationis seu vas debitum, cum eius functio videatur non solum semen virile recipere sed tali modo recipere ut ad alia organa progredi possit.

It would seem obvious at first sight that the number of hours for fasting should be calculated mathematically. An hour is a division of a day, or the twenty fourth part of the time that elapses between midnight and midnight. The legislator said "three hours" and "one hour" and he meant what he said—*quod voluit expressit.* Again, if we admit that the hours are to be reckoned morally, i.e. within a few minutes of an hour or three hours, who is to set the limit? Abuses could easily arise, especially as the matter would be left to the individual, who is naturally inclined to extend concessions as far as possible in his own favour.

On the other hand, the opinion has been put forward that strict mathematical accuracy is not to be expected in computating the period of the Eucharistic fast. A writer in the "Monitor Ecclesiasticus"[20] suggests that the purpose of the law (reverence for the Blessed Eucharist) is sufficiently safeguarded, if we admit that a slight deficiency in the time would be objectively a venial sin, and free from all guilt, if there were sufficient justifying cause. Time is divisible, and we are not dealing with a matter which is intrinsically evil. Further, the old custom was considered by many to be very strict, for it amounted to inflicting the penalty of eternal damnation for a transgression of, say, five minutes in the period set down for the fast. Finally, the mind of the legislator is certainly more lenient than in the former law on the same matter, and this fact may help us to a correct interpretation of the present prescriptions. These observations are not without weight.

The circumstances surrounding the matter of the law are also helpful in arriving at a correct interpretation. Formerly, the *terminus a quo* for the fast was fixed at midnight, a point of time easily determined. Now, however, the moment when the fast begins depends on a future event—the moment of Communion—from which one is to reckon back. It is not always possible for the faithful to foresee with absolute accuracy when they will communicate. Many circumstances have to be considered: the punctuality of the priest in commencing Mass, the time he takes to celebrate it, the length of the sermon, the number of communicants, etc. We think that priests engaged

[20]Monitor Ecclesiasticus. Fasc. II., an. 1957, p. 199.

in pastoral work will agree that it is impossible to say, even at the beginning of a Sunday Mass, at what precise moment they will commence to distribute Communion and when they will return from the rails to the altar. Since the modifications of the *Sacram Communionem* were promulgated to facilitate the frequent reception of Communion, it would be hard to deprive a person of It, if he were a few minutes short of the prescribed three hours' or one hour's fast, because he was unable to know with mathematical accuracy the moment when he should begin the fast. After all, a law is to be observed *humano modo.*

Perhaps there may be a declaration from the Holy See to decide the matter. In the meantime, it seems probable that the obligation of a certain period of fast is a grave one *ex genere suo*: it admits of parvity of matter—a few minutes. Sufficient reason to excuse from all guilt with regard to the few minutes would be the inconvenience in waiting for another opportunity later in the day to receive Communion, and *a fortiori,* the impossibility of receiving any other time.

2. No degree of sickness is prescribed by the law, which simply states: "The sick, although not confined to bed, may take non-alcoholic drink and true medicine, whether liquid or solid, before the celebration of Mass or the reception of the Eucharist without any limit of time." The only guide given is that it is not necessary to be so sick as to be confined to bed. Sickness is, to some extent, a relative term, and a disorder which would be scarcely noticed by one may have an appreciable effect on the general condition of another. In case of doubt, the law may be interpreted favourably. Old age is in itself a sickness or a weakening of bodily strength. It begins at various years of life in different people. Beyond remarking that the Church exempts those who have begun their sixtieth year from the ecclesiastical fast during Lent and on other fast days of the year, it is not possible to establish anything approaching a norm that would embrace the aged in general in regard to the Eucharistic fast. Each case, we think, should be judged on its merits.

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Canon Law

DOUBTFUL BAPTISM AND DISPARITY OF CULT

Dear Rev. Sir,

I know for a fact that it is not only my own experience, but also an increasingly common experience among priests, to be called on to answer questions concerning alleged non-baptism and its relation to possible re-marriage. I think that at least one of the factors prompting such questions is the knowledge, which seems to be becoming more and more widespread, of the possibility of obtaining a dissolution of the natural bond of marriage between a baptized and a non-baptized person. We are already grateful for some articles in the *A.C.R.* dealing directly with this matter (cf. January and July issues of 1956), but there are still some points that I would like to see discussed. One of these points—perhaps a little unexpected in a sense—but nevertheless a point of importance since it bears directly on the question of non-baptism and marriage, is the content of Canon 1070, § 2. I would be grateful for some discussion on the presumption relating to doubtful baptism contained in this legislation, especially since these dissolutions in favour of the faith have been extended to marriages between a Catholic and a non-baptized person which have taken place in the Church with a dispensation from Disparity of Cult.

CERTAINLY BAPTIZED.

REPLY

We must confess that we did find the particular request of our correspondent somewhat unexpected after reading his preliminary remarks; and we would have been most interested to know the particular case that he has in mind, that is, if he did have some particular case—theoretical or actual—in mind, but was merely content to request a discussion of a rather general nature. However, as it is, we will endeavour to satisfy this general request.

Although the query of our correspondent is concerned directly with the second section of Canon 1070, we think that it will be well by way of a beginning and with a view to certain preliminary explanations, to quote the canon in full. Canon 1070 states: "§ 1. A marriage contracted by an unbaptized person with a person baptized in the Catholic Church or converted to it from heresy or

schism is invalid: § 2. If at the time the marriage was contracted the party was commonly considered as baptized, or his (or her) baptism was doubtful, the validity of the marriage is to be upheld in accordance with Canon 1014, until it is certainly proved that one party was baptized and the other was not baptized."

In discussing the query of our correspondent it can be pointed out by way of introduction that the first section of Canon 1070 marks an important change from the pre-Code legislation in explaining between whom the impediment of Disparity of Cult exists. Before the Code came into force the impediment of Disparity of Cult existed between a non-baptized person and a validly baptized person, whether the baptized person was a Catholic or a non-Catholic. This meant that before the Code a marriage between a baptized person and an unbaptized person, contracted without the requisite dispensation, was invalid; and this would still have been so, even if the two persons involved were in fact non-Catholics. Hence, it can be seen that Canon 1070, § 1, has introduced a change into the law since, according to it, the impediment of Disparity of Cult now exists only between an unbaptized person and a person baptized in the Catholic Church or converted to it from heresy or schism. It is clear, therefore, that where now there might be ground for a dissolution *in favorem fidei* of a marriage contracted between two non-Catholics, one baptized and the other not baptized, before the Code there would rather have been ground for a declaration of nullity, since such a marriage would have been contracted with the diriment impediment of Disparity of Cult which no longer embraces such a case in view of the change introduced by Canon 1070, § 1.

Another preliminary remark, which will not be out of place, is prompted by the following remark of our correspondent: ". . . especially since these dissolutions in favour of the faith have been extended to marriages between a Catholic and a non-baptized person which have taken place in the Church with a dispensation from Disparity of Cult." For a considerable time there was a difference of opinion among the authors as to whether the Church *could* grant a dissolution in a case of this nature. However, viewing the matter theoretically, it did seem that the Roman Pontiff could use this power of dissolution even in such a case. After all, in the famous Helena-Montana case (5th November, 1924) the Holy Office had described the bond of marriage between a baptized and an unbaptized person as a

natural bond, and this really constituted the foundation for the exercise of this power. But the mere granting of a dispensation (from Disparity of Cult) of itself does not change the nature of this matrimonial bond. Therefore, if the Roman Pontiff could and did use this power in regard to marriages between baptized non-Catholics and unbaptized persons, there would not appear to be any reason why he could not also exercise this power in regard to marriages between baptized Catholics and unbaptized persons, contracted with the necessary dispensation, since there would be no intrinsic difference between the two cases. In practice, however, it appears to be true that no such dispensations were given; but, as subsequent decisions have proved, this was due to the fact that the Church *simply did not use* the power, rather than that she did not possess the power. For it is now a well-known fact that dissolutions *in favorem fidei* have been granted and are being granted in cases where the marriage has taken place between a Catholic and an unbaptized person with a dispensation from the impediment of Disparity of Cult.

Our correspondent's query, however, is directly concerned with the second section of Canon 1070. Like the first section of the canon, this second section also introduces a change from the pre-Code legislation concerning the presumption to be applied in the matter of a doubtful baptism and its relation to the validity of a marriage already contracted without a dispensation from Disparity of Cult. It is to be noted that Canon 1070 § 2, and the discussion on this point suppose an already-contracted marriage.

The relevant principle applied in the pre-Code legislation concerning doubtful baptism and Disparity of Cult after a marriage had been contracted, was: *Baptismus dubius in ordine ad validitatem matrimonii validus censendus est.* That is: when there was question of a doubtful baptism the presumption was that, when the marriage had been contracted, the baptism itself was to be presumed valid in reference to the validity of the marriage; or, in other words, in passing judgment on the validity of such a marriage already contracted, the doubtful baptism was to be presumed valid and the marriage regarded as valid or invalid accordingly. Consequently, the pre-Code presumption corresponding to the presumption of Canon 1070, § 2, favoured the validity of the doubtful baptism, and the validity or otherwise of the marriage already contracted would then be determined as if this baptism was certainly valid. Thus, for example, this

principle with its legal presumption is to be found expressly stated in a reply of the Holy Office of 12th May, 1830: "Quod si dubium persistat . . . censendum est validum baptisma in ordine ad validitatem matrimonii" (Fontes, IV, n. 867; Collectanea, I, n. 821).

Moreover, as a conclusion from certain decisions that were given by the Holy See, it does appear that at one stage in the pre-Code period, in the case where the presumption concerning the doubtful baptism operated in favour of the validity of the marriage, it was considered in fact as the equivalent of an absolute presumption. That is, it appears that the marriage was to be regarded as valid in such a way that it was to be considered that the Church in such a doubt had really removed the impediment (if it existed) by this legal presumption, thus giving the marriage an objective validity, so that if the invalidity of the baptism was subsequently to be proved the marriage would still be regarded as valid. Subsequently, however, this attitude was changed, and the legal presumption under consideration was acknowledged as a simple presumption of law (praesumptio iuris simpliciter) which as such would yield to contrary evidence: *Praesumptio cedit veritati.* Hence, for example, if a party's baptism, being doubtful and therefore presumed valid *in ordine ad validitatem matrimonii,* thus caused the marriage to be regarded as valid, and it was subsequently proved that the baptism was invalid, the presumption would then give way to the truth and the marriage, as a consequence, would then be regarded as invalid. This was certainly the way in which the presumption was being applied at the time of the Code; and hence this simple presumption of law—as it was then accepted—did not give an objective validity to the marriage as if the impediment had in effect been removed by the Church.

Various examples could be given to illustrate the application of this pre-Code presumption; but perhaps the following two examples will be sufficient for our purpose: (a) The marriage of John, a certainly baptized non-Catholic, with Mary, a doubtfully baptized non-Catholic, would be presumed to be valid because Mary's baptism would be regarded as valid *in ordine ad validitatem matrimonii;* but if it was subsequently proved that Mary's baptism was in fact invalid, the presumption would yield to the truth and the marriage would have been invalid on account of the existence of Disparity of Cult (which before the Code existed between an unbaptized person and a validly

baptized person, whether Catholic or non-Catholic). (b) On the other hand, the marriage of William, a doubtfully baptized person, with Anna, a certainly unbaptized person, would be considered invalid because William's doubtful baptism would be presumed valid *in ordine ad validitatem matrimonii,* and thus the impediment of Disparity of Cult would be considered to exist. If, however, it was subsequently proved that William in fact was not validly baptized, it would mean that the marriage was really valid since the presumption would have to give way to the truth.

However, when we come to consider the law of the Code we find that the presumption to be applied in judging the validity of a marriage *post factum* when the baptism of a party is alleged to be doubtful, has changed. In the former law, as we have now seen, the baptism itself was presumed valid and the validity or invalidity of the marriage already contracted was judged accordingly. Under the Code law, however, the marriage itself is presumed valid until it is clearly demonstrated that one of the parties is a baptized Catholic and the other party is not baptized at all. Thus, the presumption of Canon 1070, § 2, is not in favour of the validity of the baptism; it favours the validity of the marriage until the contrary is proved. There is a difference between the two presumptions. The pre-Code presumption, favouring the validity of the doubtful baptism *in ordine ad validitatem matrimonii,* meant in effect that the marriage might be considered valid or invalid, as the previous examples show. But the present presumption of Canon 1070, § 2, means in effect that the marriage will always be considered valid until the contrary has been clearly proved, in which case the presumption will cease. It can be added that the legal presumption of Canon 1070, § 2, is really a specific application to the impediment of Disparity of Cult of the general principle and presumption set down in Canon 1014, which states: "Marriage enjoys the favour of the law; wherefore, without prejudice to the ruling of Canon 1127, in a doubt the validity of the marriage must be upheld until the contrary is proved."

Having in mind the rather general request of our correspondent for "some discussion on the presumption relating to doubtful baptism contained in this legislation," we feel that reference to yet another aspect of this matter will not be out of place here. This aspect can be expressed in the following interrogative form: What norm is to be used in passing judgment

on the validity of a marriage of the kind we have been discussing, which was contracted before the Code (when one presumption prevailed) and which is questioned only after the Code (when another and different presumption prevails in exactly the same matter, as we have now seen)? For example: *a marriage contracted before the Code* between an unbaptized person and a doubtfully baptized Catholic would be considered invalid according to the pre-Code presumption (which would favour the validity of the baptism and thus mean that the impediment of disparity of cult existed), but would be presumed valid according to the presumption of Canon 1070, § 2 (which favours the marriage until it is proved that the one party is certainly baptized and the other certainly not baptized).

There is a difference of opinion among the authors on this point. Thus, some authors maintain that the presumption should directly favour the validity of the marriage in such a case; in other words, they maintain that the presumption of Canon 1070, § 2, should always be applied in cases of this nature, i.e., when the marriage took place before the Code and is questioned only after the Code and the point at issue is doubtful baptism and Disparity of Cult. These authors do not extend the principle that laws are not retroactive to the matter of legal presumptions, and claim that, since the marriage had not been questioned previously, its validity or otherwise should be decided in accordance with the presumption admitted by the law at the time that the decision is requested. If in the meantime the presumption has changed, the new presumption must be considered by the legislator to be a better presumption for deciding on the validity of past acts—in our present case, of certain kinds of marriages already contracted—without distinction regarding the time of their performance (whether before or after the Code).

Other authors, however, maintain the opinion that the validity or otherwise of such a marriage should be judged according to the presumption that prevailed at the time the marriage was contracted, in accordance with the accepted principle expressly stated in Canon 10: "Leges respiciunt futura, non praeterita. . . ."

While there has not been any express authoritative decision on this point, the second opinion certainly seems to receive support from a decision of the Sacred Congregation of the Holy Office given in a particular case. The decision was given on

15th May, 1936, and the relevant details of the case were as follows: An unbaptized man had contracted marriage several years before the Code with a Protestant woman. There was a civil divorce, and then the man, having become a Catholic, wished to marry a Catholic woman. The subsequent investigation into his *pre-Code marriage* revealed that his wife's baptism was doubtful and that the doubt could not be resolved. Therefore, an application was made to the Holy Office for a dissolution of the marriage *in favorem fidei,* but the Holy Office replied that the marriage was invalid on the ground of Disparity of Cult (cfr. Bouscaren, Canon Law Digest, II, p. 290). The point is that this decision of the Holy Office could have been given only by virtue of the pre-Code presumption for the validity of doubtful baptism *in ordine ad validitatem matrimonii;* since, if the presumption of Canon 1070, § 2, had been applied, the marriage would have been presumed valid, and a dissolution *in favorem fidei* would have been granted. Hence, it certainly appears to be the mind of the Holy Office that the validity of a marriage in such a case is to be judged according to the presumption that prevails at the time of the celebration of the marriage, even though its validity is not questioned until after a new presumption has been established by law.

G. C. GALLEN.

St. Mary's Cathedral, Sydney.

SHORT NOTICE

ANCIENT CHRISTIAN WRITERS, VOL. 6: The Didache, Epistle to Barnabas, Epistles and the Martyrdom of St. Polycarp, The Fragments of Papias, The Epistle to Diognetus. Translated by J. A. Kleist. London. Longmans. 1957. 235 pp. 13/3.

This interesting translation first appeared in 1948 and it was reviewed in the *A.C.R.* The collection, ANCIENT CHRISTIAN WRITERS, has won just approval as a reliable English translation of the Fathers, edited with most useful notes. It is a pleasure then to bring to the notice of our readers the pocket edition, unabridged both as regards text and notes. The price (13/3) should bring the book into the range of needy clerical purses.

T.V.

Liturgy

OBLIGATION OF ALTAR CANOPY

Dear Rev. Sir,

Recently we were discussing the obligation of a baldachin over the altar.

I notice that Father J. O'Connell in *The Celebration of Mass* [vol. I (1942), p. 241] states that the baldachin is obligatory; but he cites three decisions of the S.R.C., none of which proves his point. The first two, viz., 1966 (given in the year 1697) and 2912 (given in 1846) appear in the Index of the *Decreta authentica* S.R.C. (vol. V, p. 35) under the word *Baldachinum* with the following declaration: 'Haec autem duo Decreta ubique, etiam Romae, in desuetudinem abierunt.'

His third citation: 'and cf. 3525, 2,' being a particular reply and Indult, obviously does not impose a general obligation.

I would be grateful for knowledge of any more recent decision on this matter.

QUAERENS.

REPLY

We are not aware of any decision on this matter later than the decrees of the Congregation of Rites referred to by our correspondent. In his more recent work: *Church Building and Furnishing* (London, 1955) Father O'Connell retains his previous opinion: 'The use of a canopy over an altar is certainly of obligation for the high altar of a cathedral (this high altar being distinct from the altar of the Blessed Sacrament), and over every altar at which the Blessed Sacrament is reserved (the high altar in most churches).' (p. 186). Reference is made to the same three decisions of the Congregation of Rites and also to the accompanying note in the General Index of the *Decreta Authentica,* while a footnote adds: 'The correct interpretation of the note added in the Index of S.R.C. to decrees 1966, 2912 (p. 35) seems to be that the obligation of a canopy over *all* altars has fallen into desuetude. For the visitation of the churches of Rome 1904, St. Pius X prescribed this query: "Is there a hanging baldaquin, or one supported on columns, over the altar of the most Holy Sacrament?" ' (ibid.)

Decree 1966 (27th April, 1697) in reply to the question whether a baldachin must be erected over all altars in all churches or simply over the high altar at which the Blessed Sacrament is reserved, stated that it must be erected over all altars. About a century and a half later the Sacred Congregation was again asked whether it was absolutely necessary to have a baldachin over the altar at which the Blessed Sacrament was reserved and it referred to decree 1966 (D. 2912.—23rd May, 1846). Decree 3525, 2, of which mention has been made, was an indult given to allow the establishment of an oratory underneath a dormitory, provided that a baldachin was erected over the altar (being a particular indult this is valid only for the petitioner).

The *Caeremoniale Episcoporum* makes several mentions of the baldachin. 'If the altar is attached to a wall . . . above it should be erected a canopy, called a baldachin, of the same colour as the vestments, square in shape and covering the altar and footpace. This baldachin should be erected even if the altar is detached from the wall, unless it has over it a stone or marble ciborium. If there is a ciborium, a canopy is not required.' (lib. I., cap. xii., §§ 13 and 14). Speaking of the bishop's throne, the *Caeremoniale* states that a canopy may be erected above it 'provided that a similar or more splendid one is erected over the altar, except where there is a stone or marble ciborium over the altar' (ibid. cap. xiii, § 3).

One point that calls for some discussion is the interpretation proposed by Father O'Connell of the Note attached to the two decrees in the General Index of the *Decreta Authentica.* The majority of authors consulted seem to follow the same interpretation, viz., that the decrees have fallen into desuetude in as much as they require a baldachin to be erected over every altar, but not in so far as they apply to the high altar and the altar at which the Blessed Sacrament is reserved, if this is distinct from the high altar. This opinion is adopted by Moretti (*Caeremoniale,* i. § 414), Long [*Irish Eccles. Record,* xlvii. (1936), p. 531], *Matters Liturgical* (8th edit. 1956. § 145), and apparently by others to whom the above writers refer. The General Index of the *Decreta* was published at Rome in 1901. Since the Note makes no distinction between Rome and the rest of the world in the non-observance of the decree it would seem reasonable to conclude that if we can determine the Roman custom on the matter we shall be very close to a correct interpretation of the

Note. Piacenza, writing in the *Ephemerides liturgicae* (1905, pp. 93-94), says that the custom of placing a baldachin over every altar has certainly fallen into disuse, but this is not true of the baldachin over the high altar and the Blessed Sacrament altar, hence the Note must be understood in this sense. A more authoritative expression of the Roman custom may be deduced from the *Norme speciali* issued by the Sacred Congregation for the Apostolic Visitation in 1905 (A.S.S. xxxviii, pp. 172-186). Norm XII is devoted to the baldachin. It quotes the *Caeremoniale Episcoporum* (lib. I, c. xii, § 13) and adds that the Congregation of Rites had formerly prescribed the baldachin for all altars but this prescription is now insisted upon only for the high altar of every church and for the altar of the Blessed Sacrament, if this is distinct from the high altar. DD 1966 and 2912 are referred to. The high altars of the Roman basilicas have from the earliest times been covered by a baldachin and the same custom has been observed in regard to the altar at which the Pope celebrates Mass. These facts clearly indicate that no one can appeal to a local custom in Rome contrary to the prescriptions of the *Caeremoniale* and the decree of the Congregation of Rites. Some have thought that the vault of the apse over the altar would allow one to dispense with the baldachin, but a little reflection reminds us that even when the Papal throne is erected in the apse a baldachin is placed over it, so obviously the vault of the apse is not considered to be a substitute for the baldachin. However, there may be some churches in which it would be very difficult to erect a baldachin over the altar, in such cases the competent authority will make whatever provision it considers necessary (cfr. loc. cit. p. 183).

The distinction commonly made by the authors between the high altar and the Blessed Sacrament altar and other altars of a church would seem to be well founded and is accepted by most commentators, Mollien (*Diction. du Droit Canonique,* 2 col. 37) being an exception. On the other hand, we must recognize that at least in these parts the prescriptions of the Congregation of Rites have been almost universally ignored. In practice, therefore, it would seem difficult to impose a strict obligation to erect a baldachin over the high altar or the altar of the Blessed Sacrament, unless the Local Ordinary insists on the proper observance of the decrees of the Congregation of Rites.

The baldachin over the altar is a traditional mark of the dignity of the altar, just as its use over the bishop's throne has the same significance. It is surely desirable, then, that we should endeavour to cultivate a more positive attitude to its use by trying to appreciate its significance rather than by looking for reasons to dispense with it. One cannot help thinking that some of our modern churches would be improved greatly by the intelligent use of an altar canopy, and this is especially true when the simpler style of altar is used. Otherwise the altar tends to become merely a slab of stone against the wall, with little to indicate that it is the most sacred thing and the focal point of the whole edifice. The neglect of the altar canopy shows a regrettable departure from tradition. 'The canopy should never be sacrificed in favour of a window behind the altar, or of an altar-piece (dossal). It enhances the beauty and magnifies the dimensions of the high altar.' (O'Connell, op. cit. p. 187).

DRAPING COFFIN WITH NATIONAL FLAG

Dear Rev. Sir,

May the coffin of a Returned Serviceman be draped with the Australian flag while it remains in the church, before, during and after the Requiem Mass offered for the repose of his soul?

CO-OPERATOR.

REPLY

The rubrics do not require the coffin to be covered, but if this is the custom it may be followed. There are, however, several decrees of the Sacred Congregation of Rites which prohibit the use of a white pall for unmarried girls or nuns (4397 and 3035), nor is it sufficient to have a white pall with a black cross on it (3263), the colour of the pall should be black and its ornamentation restrained (4165, v). The use of the national flag as a pall for the coffin is not wholly in accord with the mind of the Church, but it would not seem to be absolutely excluded by the above decrees. A number of authors admit the lawfulness of the practice, e.g. 'The national flag may be laid over a coffin, and this is the usual practice if the dead person was a member of the armed services' (O'Connell, *Church Building*, p. 246), also O'Mahoney (*Questions and Answers*, Q. 57), *Matters Liturgical* (8th edit. § 428 d.). Unless there is some local law to the contrary, it would be in order to follow this opinion, especially if there is otherwise danger of causing ill-feeling.

PRONUNCIATION OF *ELEISON*

Dear Rev. Sir,

The correct pronunciation of the word *eleison* has been a subject of discussion amongst us and I would be pleased if some comment could be made about it in the *A.C.R.*

L.M.

REPLY

The word *eleison* is a Latin transliteration of the Greek word *eleeson* (aorist imperative of verb *eleein*) the letter *i* being used for the Greek eta. This form goes back to the end of the fourth century when it is found in the journal of a certain lady, Aetheria by name, who made a pilgrimage from Gaul to the Holy Land and who left a most precious account of the liturgical rites of Jerusalem as she witnessed them. According to the custom of her time she transliterated the Greek eta by *i*, not by a long *e* (the same is true of *Paraclitus, imas*). The pronunciation will, then, take account of this fact, viz. *ei* is not a diphthong but two separate vowels, and the word will be pronounced e-le-ee-son (four syllables with the accent on the second).

THE SIMPLIFIED RUBRICS

Several readers of the *A.C.R.* have expressed a wish for a summary revision of the principal changes introduced by the decree of 23rd March, 1955, which had for its purpose the simplifying of the rubrics of the Breviary and the Missal.

THE CALENDAR

The classification *semidouble* has been abolished. Ordinary Sundays have been raised to double rite; feasts formerly celebrated as semidoubles become simples; simple feasts become commemorations.

Impeded Sundays are neither anticipated nor resumed.

Vigils: two privileged—Christmas, Pentecost; five common —Ascension, Assumption, St. John Baptist, Sts. Peter and Paul, St. Laurence. All other vigils omitted.

Octaves: three only retained—Christmas, Easter, Pentecost.

THE BREVIARY

From Ash Wednesday until the Saturday before Palm Sunday on feasts of lesser rank than double I or II class the

office, when recited privately, may be taken either from the feast or the feria.

The *Pater, Ave, Credo* are omitted before and after the hours.

The Final Antiphon of Our Lady is recited at the end of each day's office, together with the versicle *Divinum auxilium.* The Indulgences formerly attached to the *Sacrosanctae* are now attached to the final antiphon of Our Lady.

The proper hymns found on the feasts of certain Saints are not transferred from one hour to another. In the hymn *Iste Confessor,* the alternative verse of the first stanza is always used, viz. *Meruit supremos laudis honores.*

Ferial Preces are recited only at Lauds and Vespers in ferial offices of Wednesday and Friday of Advent, Lent and Passiontide, and on Wednesday, Friday and Saturday of Ember Days, except during the octave of Pentecost. *Preces* on other days and at the other hours have been abolished. Similarly, the Suffrage of the Saints and the Commemoration of the Cross have been abolished, and the Athanasian Creed is recited at Prime on Trinity Sunday only.

First Vespers now belong only to doubles of I and II class and to Sundays.

On double feasts II class, on double feasts of the Lord (i.e. not only feasts of the Redeemer but also e.g., Dedication Ss. Peter and Paul—18th November) and on double feasts of Our Lady the office is arranged in the following way: Matins, Lauds, Vespers: solemn office from the proper or common; Little Hours: psalms from the current week-day of the Psalter, the rest from the proper or common; Compline of Sunday.

There are a number of feasts, usually of ancient origin, which have proper antiphons for Matins and/or Lauds and Vespers. On these days at those hours which have proper antiphons the office is recited as on solemn feasts (i.e., psalms from proper or common, the rest proper or from common), at the other hours the office is as an ordinary office, i.e., from the psalter, &c.

Scriptural lessons, responsories and the beginnings of the sacred books are not resumed when they have to be omitted because of some occurring feast.

The ninth lesson is never taken from a commemorated feast or feria.

THE MASS

In Requiem Masses the *Dies irae* may always be omitted except in funeral Masses, and at the principal or first Mass of All Souls' Day.

The Creed is said: Sundays, double I class, feasts of the Lord and Our Lady, the *Natalitia* of Apostles and Evangelists, feasts of Doctors of universal Church, solemn votive Masses when sung.

The Preface must be selected as follows: that which is strictly proper (e.g. that of Apostles for apostles and evangelists, not for Popes), or that of the season, otherwise the common preface is used. Hence the preface is not chosen because of some commemoration.

The Last Gospel is always the Gospel of St. John except at the third Mass on Christmas Day, and on Palm Sunday at Masses not preceded by the procession.

PRAYERS AND COMMEMORATIONS

This section of the decree has given rise to a large number of queries and they have not all been resolved satisfactorily as yet. Most of the difficulties concern the inclusion or omission of such occasional prayers as those for the anniversary of the Bishop's election, the prayer of the Blessed Sacrament, and an *oratio imperata.*

It is certain that the number of prayers must never exceed *three.* The only possible doubt that might arise here is due to the fact that when a prayer is added to the prayer of the day under the one conclusion or when the two prayers are inseparable, e.g. Ss. Peter and Paul, then these two are counted as one prayer.

The seasonal commemorations, *A cunctis,* &c., have been abolished.

Certain commemorations are *never* omitted: i. any Sunday; ii. feast I class; iii. feria of Advent and Lent; iv. Ember days; v. Greater Litanies (25th April). These commemorations are recited before all others.

Apart from the above, the original decree determined the following rules:

(a) NO commemoration is allowed on: i. Sunday or feast I class; ii. privileged ferias and vigils, i.e., Ash Wednesday, Monday, Tuesday, Wednesday of Holy Week, and the vigils of Christmas and Pentecost; iii. in a sung Mass; iv. in a solemn votive Mass.

(b) ONE commemoration is allowed on: i. feast II class; ii. other Sundays.

(c) TWO commemorations are allowed on other days, provided always that the total number of prayers does not exceed three.

How do these rules affect the addition of occasional commemorations such as the prayer for the Bishop's anniversary, of the Blessed Sacrament, or an *oratio imperata pro re gravi*? (The prayer of the Blessed Sacrament is that which is added to Masses celebrated at the altar of Exposition during the XL Hours' Prayer or in Masses which are followed immediately by Exposition for some public cause—the details may be read in the introductory pages of the *Ordo*.) In regard to the prayer for the Bishop's anniversary, this is always indicated in the *Ordo* as it occurs (at least for Australia and New Zealand) and this should be followed. As to the other two prayers, the position is not absolutely clear, but we will set down what seems to be the most probable solution. Always bearing in mind that three is the absolute number of prayers, and that there are certain commemorations listed above that may never be omitted, the general idea seems to be that since these occasional commemorations occur only on some special occasion they enjoy a certain priority. So the prayer of the Blessed Sacrament may be added when prescribed (XL Hours' and Exposition) even on the most solemn feasts of the Universal Church, despite the general rule that a double I class does not admit any commemoration. Similarly, if a double feast II class should fall on an ordinary Sunday, the Mass will be that of the feast, the second prayer would be that of the Sunday (never omitted), and a third prayer could be either for the Bishop's anniversary or of the Blessed Sacrament or an *oratio imperata pro re gravi,* the choice being made in that order should two or more occur. In this instance the general rule that a double II class admits only one commemoration gives way before the commemoration never to be omitted and an occasional prayer. Another example might be an ordinary Sunday—it admits one commemoration, hence we may commemorate a double that occurs on that day, but we would omit the commemoration of a simple falling on the same day, e.g., 4th November is feast of St. Charles and of the martyrs Vitalis and Agricola, when this day falls on a Sunday, St. Charles alone is commemorated. But if the Bishop has

imposed an *oratio imperata pro re gravi,* this must be said, and in virtue of the general rule the commemoration of St. Charles should seemingly be omitted also; if in addition there happened to be XL Hours' or Exposition, then the prayer of the Blessed Sacrament and the *Imperata* alone would be added to the prayer of the Sunday.

In votive Masses for the Dead, i.e., *quotidiana* (not sung), one prayer is sufficient, but two or three may be said. Thus the prayer *Fidelium* alone may be added, or a second prayer may be added with *Fidelium* in the third place.

P. L. MURPHY.

St. Patrick's College, Manly.

SHORT NOTICE

YOUR PASSPORT TO HEAVEN, by Wilfrid Diamond (World's Work Ltd., England. 1956. 127 pp. 7/6 stg.)

One of the hopeful aspects of the world scene in our era is the growing realisation among lay-folk of the importance of their life of prayer, quite apart from the recitation of prayer formulae. When they have the good fortune to be articulate, they have some good things to say; and it would be well for priests and religious to appreciate their books, introducing them in appropriate quarters. A layman may often present, with clarity and persuasiveness, aspects of the Liturgy which priests and religious tend to treat with too much stress on historicity: laymen understand one with their own outlook and experience. The Benedictine priest who writes the foreword does not hesitate to say that "our laity and religious everywhere will find its pages interesting, instructing and inspiring." This priest had first met Mr. Wilfrid Diamond at a Benedictine House of Studies in U.S.A., "on the occasion of a strictly liturgical retreat" given to laymen. The publishers speak of this book as being "written by a working man for working men." Well, we are all trying to be good servants, though we may not all be busy laymen.

Apart from the author's own presentation of spiritual themes, there is incorporated in this little book, a pamphlet written by Father John Delaney, S.J. It begins with the words—perhaps they form the title—*What! Me a Saint?* Although written some years ago it has a perennial appeal, and its inclusion in the book shows Mr. Diamond's humility and good judgment.

M.O.

Homiletics

CHRIST, OUR SAVIOUR

The most striking feature of the third Gospel may be summarized in the statement that St. Luke was the first Christian historian. This should not be taken to mean that the facts recorded by St. Matthew and St. Mark are historically unreliable. The recording of facts, however, is not the only requisite of an historian. Of equal importance is the placing of the facts in their correct historical setting, and it is in this that St. Luke has so clearly surpassed his predecessors. Following a sense of history quite foreign to Matthew and Mark, he related his story to current events. He carefully noted, for example, that the apparition to Zachary took place "when Herod was King of Judea" (1:5), and that the implementation of an imperial census by Cyrinus, Governor of Syria, was the occasion of Christ's birth in Bethlehem (2:1). He began his account of the public ministry with a catalogue of the reigning hierarchy, both civil and religious, which is of unique value to us in reconstructing the history of Our Lord's life (3:1). Besides this, the Gospels of Matthew and Mark read more like collections of personal memories gathered by eye-witnesses. Luke had no such memories. Unlike the other evangelists he was a gentile, a convert from paganism, one well educated according to pagan standards of the time, and a follower of St. Paul. Largely as a result of this distinctive background he was able to see the beginnings of Christianity in a broader light which was scarcely known to his more provincial Jewish counterparts. His book was the first "history" of Christ.

The capital sin of the historian is to ignore his predecessors; the height of achievement in this science is to add worthily to what has already been accomplished. Since Luke was aware of this he began his work only after a careful survey of what had been written or was being reported on his subject: "Many have been at pains to set forth the history of what time has brought to fulfilment among us. . . . I, too, most noble Theophilus, have resolved to put the story in writing for thee as it befell, having first traced it carefully from its beginnings" (1:1-3). St. Mark's Gospel was certainly among the written works studied by Luke, and St. Matthew's Gospel was probably so. But Luke was too

intelligent a person to write without a reason; had he found no more to write than had already been written, he would have simply referred Theophilus to books that were available. About one half of his Gospel is made up of material not recorded by his predecessors, and it was this material, no doubt, which convinced him of the need for his Gospel. He showed himself the thorough historian again by co-ordinating this material with that which he found already written, so that his Gospel was a happy mingling of old and new. Since the aim in this article is to see something of the character of Our Lord as He appealed to St. Luke, it is, naturally, this new material which will be of most interest. St. Luke is most himself and, incidentally, writes best, when he is without precedent.

St. Luke was the evangelist of the Nativity. From his first two chapters, known as the Infancy Narrative, we have derived the meaning of Christmas, and, to a large degree, the spirit of Christianity. No chapters of any Gospel are so unashamedly supernatural. Gabriel appears first to a country priest during his term of service at the temple, then to a maiden in Nazareth; a choir of angels sing to shepherds gathered on a hill outside Bethlehem; there are two births recorded in these two chapters, both outside of the ordinary course of nature; an old man in the temple receives a divine revelation; a child of twelve teaches the learned men of Jerusalem; and throughout, various characters utter canticles of unparalleled beauty. Through such a striking series of supernatural events the work of the Incarnation emerges supremely as a work of God. The reader is gripped by the fascination of watching a divine drama in progress, and concludes these chapters with the assurance of having witnessed God at work.

The true God should not need the trappings of human greatness in the performance of His works. This is where the gods of mythology failed: so humanly spectacular were they and their appurtenances, that their divinity was really lost in the flourish. Not so in St. Luke's account of the Incarnation. In entering the world God does not shake the world, and in becoming man He does not sweep men off their feet. He acts in a manner worthy of God, treating the humanly spectacular as below Him. He seeks out an obscure country priest and his wife as subjects for his action; He asks to become the child of a maiden in Nazareth; He chooses, of all places in Bethlehem, a stable; He

invites some shepherds, despite the presence of many of David's family. The human background to this divine drama is drab and commonplace in the extreme. He chooses relatives from among undistinguished people, and an animal shelter as His first home. No human glitter could be allowed to obscure the divine brilliance of the Incarnation.

St. Luke was an historian with a thesis: he wrote to confirm faith. He told Theophilus that he wrote "that thou mayest understand the instruction thou hast already received, in all its certainty" (1:4). The message of the Infancy Narrative is best seen in the three canticles of Mary, Zachary and Simeon. They express the human reaction to these divine activities. All three are hymns of joyful thanks for the work of salvation which has begun, yet at the same time each has an individual character. The Magnificat is the most personal of the three: Mary, in a spirit of joy and thanks, praises the mercy of God in disregarding the powerful and the mighty, in order to look upon her in her lowliness. But despite its personal theme the song has a universal message: Mary speaks as the first fruit of the redemptive work, so that the marks of God's action in her case are also the marks of the whole work. The Benedictus of Zachary enthrones the same sentiments in a new context. As we might have expected, this priest saw the work of salvation as the goal of the history of Israel, the fulfilment of the prophecies made, the accomplishment of God's oath sworn to Abraham, and the raising up of a sceptre in David's house. Then the gentle Simeon saw in the advent of the Child the signal for his peaceful departure. Whereas Zachary looked back, Simeon looked forward. He saw a power of salvation being prepared in the sight of all the nations, and a light arising over the gentiles. The three canticles, like one theme repeated in three keys, underline the joyful character of Christian origins, and St. Luke's Gospel, more than any other, lives up to its name of "Good Tidings."

The Incarnation is presented in the third Gospel as a work of merciful condescension on God's part, and it is this quality which is the most prominent mark of Our Lord's character in the whole Gospel. The Jesus who was presented by St. Matthew as the Messiah and by St. Mark as the Divine Son, appears in St. Luke as the loving Saviour. It was "fulfilment" which marked His activities in Matthew, and "power" which characterized

Him in Mark, but it is "mercy" which is His prevailing attitude in Luke. Christ appears most lovable in this Gospel.

From the very outset of the public life Christ's work is presented by Luke as a mission of mercy. The first event recorded in any detail is the incident in the Synagogue at Nazareth in which Our Lord defines His work in the terms of Isaiah: " . . . to preach the gospel to the poor, to restore the broken-hearted; to bid the prisoners go free and the blind have sight; to set the oppressed at liberty, to proclaim a year when men may find acceptance with the Lord" (4:18-20). St. Mark places this incident somewhat later in the public ministry (6:1-6), and even in Luke's narrative there is evidence that it is out of order (5:23). It seems most likely that it has been deliberately placed by Luke at the very beginning of the ministry in order to define Christ's work in these terms.

The first part of St. Luke's Gospel (Ch. 3-9) follows the order of Mark quite closely, and for that reason the few additions which he makes are the more significant. One of these is the incident at Naim in which a widow's only son was raised to life: "When the Lord saw, he had pity on her. . . . Jesus gave him back to his mother" (7:11-17). In this miracle the mercy of Christ for the bereaved mother leaves a far greater impression than the power shown in raising a man from the dead. Another addition of Luke to Mark's material in this section is the incident of the sinful woman who bathed Christ's feet in her tears of repentance: "And so, I tell thee, if great sins have been forgiven her, she has also greatly loved. He loves little who has little forgiven him" (7:47). Whatever precise interpretation be put upon this puzzling verse, it is evident that the receiving of mercy and the growth in love are complementary. This stress on the need for mercy is also reminiscent of St. Paul's teaching that no one will be saved by his merits alone without the mercy of God.

In the later chapters of the Gospel, in which Luke has introduced his new material, this theme grows in strength. In Ch. 15 there are three parables which compare God to a shepherd seeking the lost sheep, to a woman searching for the lost coin, and to the father on the lookout for his lost son. This last parable of the Prodigal Son has become the classical illustration of God's attitude to the sinner. It seems that St. Luke, in his inquiries, must have been always on the watch for records which might stress the role of Christ as a merciful saviour. Once again

in the account of the passion, for example, Mark seems to have been his guide, but he has a few striking additions to make. These include Christ's pity for the women of Jerusalem, although at the time no one seemed more worthy of pity than He; His prayer for those who crucified Him; His forgiveness of the repentant thief (23:28-34-43). There are no more precious records of the Saviour than these glimpses of His dispositions at the time of His greatest trials. "That is what the Son of man has come for, to search out and to save what was lost" (19:10). These words express Luke's principal impression of Christ.

In short, then, St. Luke tells of the joyful news of salvation preached by a merciful saviour. There is one final point which he underlines: this message is for all men. Catholicity, of course, was such a feature of Our Lord's teaching and such a factor in the antagonism which He aroused, that all the evangelists give evidence of it. St. Luke seems more realistic on this matter than the others. The difference is not that he includes more of Christ's sayings on this subject, but rather in that he portrays universality in action. It appears even in the case of John the Baptist. In addition to the "voice of one crying in the wilderness," John is reported by St. Luke as saying that "all mankind is to see the saving power of God" (3:6). Then comes the lesson in action: not merely the publicans, but even the pagan soldiers on guard approach John and are received kindly. Since St. Luke himself was a gentile he took more than a theoretical interest in these details.

The third Gospel introduces the reader to a very wide cross-section of people. The Saviour allowed His feet to be washed by the sinful woman of Capharnaum, and His body to be buried by Joseph of Arimathea, member of the Sanhedrin. Two centurions are mentioned, of whom one shows greater faith than was found in Israel, and the other goes away from Calvary saying that "this was indeed a just man" (23:47). Gentiles introduced by St. Luke appear almost invariably in a favourable light, and the same is true of publicans. Zacheus, small of stature, was singled out by Our Lord to be His host (19:1-10), and Luke alone records the parable of the more famous publican who "stood afar off and would not even lift up his eyes towards heaven" (18:9-14). Samaritans often fill the heroic roles in the parables proper to St. Luke: perhaps we often fail to appreciate the antagonism which the Good Samaritan must have aroused. And Luke notes,

naturally, that the one grateful person among the ten lepers cured was a Samaritan (17:17).

Our first surprise in studying St. Luke's Gospel is in discovering how many of our earliest impressions of Christ were drawn from his pages. The stable of Bethlehem, the Good Samaritan, the Repentant Thief, the Prodigal Son, the Pharisee and the Publican—these and other such accounts from St. Luke supplied the terms in which most of us first understood, however vaguely, the meaning of Christian faith and devotion. Later came the appreciation of Mark's vivid apologetics, later again the understanding of Our Lord in Matthew's Jewish setting, and still later, an admiration of John's theology. But it was Luke who first presented to us a Saviour of boundless mercy, stirred in our hearts the desire to imitate the Good Samaritan or the Tenth Leper, and taught us, in short, the meaning of divine love. This is due in part to his literary qualities: the ability to tell a story well, the sensitive nature to know when just enough has been said. But this is not the whole explanation. Just as some converts to-day seem to show quite a singular appreciation of the faith, so also St. Luke, looking at Our Lord as a gentile and a convert, was eminently successful in grasping and presenting the very essential meaning of Christianity. In his "good tidings" we see the essential optimism of the Christian message; in presenting the portrait of a loving and merciful God he has certainly seized upon the most important truth of all; and as we see Jew and gentile, rich and poor, saint and sinner, approach the source of salvation in his story, we understand our Christian programme. This Gospel is a revelation of love and an appeal for love.

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Notes

LIVING PARISH WEEK

Those who were present at the Living Parish Week, held at St. Patrick's College, Manly, in January of this year, will surely be happy to see published the proceedings of that week. There must be many others, too, who will be anxious to peruse these pages because of the enthusiastic reports they will have had from those who attended the conference.

Two overseas visitors, both from England, figure among the speakers. Father Clifford Howell, S.J., came specifically for the conference and he treated various aspects of Pastoral Liturgy, including Holy Week and Evening Devotions. The other visitor was Father M. O'Connor of the English Catholic Enquiry Centre and he outlined the work of the Centre for non-Catholics and the possibilities of a similar organization in this country.

The other sixteen speakers treated a variety of topics that directly concern the parochial clergy. The sanctification of the priest himself by prayer and work, the sanctification of the people by the same means are the two main headings that cover preaching, visitation, lay-apostolate activities, the Breviary and forms of active participation of the faithful in the Mass. It is well to note that these topics are not discussed by detached theorists, but by men with pastoral experience who have personal knowledge of combining theory and practice.

All in all, the collection of papers and discussions will stimulate ideas and is a definite contribution to pastoral theology and life in Australia. (LIVING PARISH WEEK. A Report. Pellegrini and Co. Pty. Ltd., Sydney. 1958. Price, 16/6.)

P.L.M.

THE OXFORD DICTIONARY OF THE CHRISTIAN CHURCH

The publication of *The Oxford Dictionary of the Christian Church* last year has aroused much interest and a deal of comment. The volume has the great advantage of having as its editor, the well-known Patristic scholar, F. L. Cross, Lady Margaret Professor of Divinity in the University of Oxford, who has maintained in the articles of his contributors a very high level of objectivity. Beyond a few Catholics that I can identify (Nigel Abercrombie,

Hilda Graef, Father Callus, O.P.) the writers of the various articles are Anglican clergymen and scholars, with some backing from Nonconformist writers, for instance, the late Rev. W. T. Whitley, M.A., L.L.D., "sometime Principal of Melbourne Baptist College, Victoria, N.S.W. (*sic!*)". The articles are not signed, which is a pity, although no doubt, Professor Cross gave serious thought to that aspect of the case, seemingly deciding that reticence allows for freedom of expression.

After each article a very good bibliography or reading list is given. The editor informs his readers that these reading lists were drawn up by the editorial staff and do not represent the sources and works drawn upon by the writers of the various articles. "Their purpose," Professor Cross writes in the Preface, ". . . is to record the principal items of primary and permanent interest bearing on the subject of the entry." If this Dictionary had been written say 57 years ago, in 1900, the placid narrative of facts might have been marred by a more aggressive spirit, and most certainly, the Catholic contribution to ideas would have been much restricted. The editor pays just tribute to the great monument that French theological thought has erected in D.T.C. (*Dictionnaire de Theologie Catholique,* 1903-50) for its amplitude; the Italian *Enciclopedia Cattolica,* 1949-1954, wins Professor Cross's praise for its modernity; Dom Leclercq's *D.A.C.L.*—surely one of the marvels of the century—in spite of its limitations, as Professor Cross says, remains often "the only pointer to further material on archaelogical and liturgical matters. . . ." *The Oxford Dictionary of the Christian Church* uses in full and grateful measure the works of Bardenhewer, Quasten, Duchesne, the Bollandists, Bremond, Fliche-Martin, J. A. Jungmann, Pastor, Mann, the Revue Biblique, the Revue d'Histoire Ecclesiastique, etc., etc. The above names and titles were selected at random, showing the immense advance of Catholic scholarship since the 19th century. It is a change from the days of Gwatkin and Harnack.

The above combined with the great Protestant collections and scholarly works have produced a remarkable book for ready and precise consultation. Opening a page (188-189) we find notes on: *Bosco, St. John* (1815-88); *Bosio, Antonio* (c. 1576-1629), *Italian archaeologist, dubbed by G. B. de Rossi the Columbus of the Catacombs; Bossuet, J. B.* (1627-1704); *Botulph, St. (mid 7th century); Bounds, Beating of the; Bouchier,*

Thomas (c. 1404-86), *Abp. of Canterbury; Bourdaloue, Louis* (1632-1704); *Bourignon, Antoinette* (1616-80), *Flemish enthusiast and adventuress.* There are 1492 pages. What is known of 'Billy' Graham? "William Franklin Graham (1918—), American Evangelist. Born in North Carolina, he experienced conversion at the age of 16 and began to preach while still at high school, and later as a student, first at the Bible Institute, Florida, then in Tennessee, and then at Wheaton College, Illinois, where he graduated. Having entered the Southern Baptist ministry in 1943 he took a leading part in the American 'Youth for Christ' movement. In 1948 he became President of Northwestern Schools, Minneapolis, and in 1949 began his first great evangelistic campaign at Los Angeles. Thereafter he toured U.S.A., making full use of radio and television. He first visited Great Britain in 1954 where he made a deep impression on large gatherings at Harringay and elsewhere." The ending of the careful note on Gregory VII is characteristic of the tone of the book: "Though Gregory was once regarded as an ambitious tyrant, most modern historians have revised this judgment and are agreed on his purity of intention and his desire for justice. He was canonized in 1606. Feast Day, 25th May."

All the reviews that I have read have praised this book for its usefulness for the student of theology and history and also its value as a desk-book to give facts on, for instance, Seventh Day Adventists, Wilhelm Bousset, Jehovah's Witnesses, Hrosvit, Mosheim, Old Catholics, Peter Damian, Prebend, William Sunday and Severus of Antioch. Naturally, Catholics would not be anxious to give a *nihil obstat* to the whole of the book, but, by and large, it is written in an objective manner. Some reviewers have been careful to note what was left out, but Professor Cross explains that he was limited by his 1492 pages. The book gives much information on the origin and history of movements in Protestantism which are of interest in many ways. Do you know how the Seventh-Day Adventists came into being? Can you find the information quickly? The present book gives us the information that after the expected Second Coming of Christ failed to be realized in 1844, a section of the Adventists (q.v.) set themselves up as a separate body. Prominent among them was Mrs. Rachel D. Preston, who had been formerly a Seventh-Day Baptist. The Adventists, in deference to her, began to observe the Sabbath as a day of rest instead of Sunday.

In the article on Jansenius, I was surprised to learn that the Bishop of Ypres had a second name, Cornelius Otto Jansen. Moreover, Cornelius Jansen (1510-76), Bishop of Ghent (who ordained Bellarmine) is stated to be the uncle of Cornelius Otto Jansen, Bishop of Ypres. If the article were written by Mr. N. Abercrombie then the matter is beyond dispute. Most writers (Forget, De Meyer, Orcibal) content themselves with remarking that Jansenius of Ypres is to be distinguished from Jansenius of Ghent. An amusing slip is to be found in the notice on Robert Hugh Benson (1871-1914), R.C. Apologist (readers of Professor Arnold Toynbee will have noticed his extreme care and tireless patience in giving the dates of a man's life) where it is noted that his life in two volumes was written by his son, A. C. Benson, which has slipped into R. H. Benson's notice from that of his father, E. W. Benson (1829-96), Abp. of Canterbury and the author of *Cyprian, His Life, His Times, His Work* (1897).

I would not dare to recommend this book to readers; they must look at it themselves and estimate if it is worth the price. The price is ninety shillings and ninepence.

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SHORT NOTICE

PRAYING OUR PRAYERS, by H. P. C. Lyons, S.J. (London, Longmans. 1956. 72 pp. 6/6 stg.)

In the Introduction to this little book the author remarks: "There will be more prayer in my prayers, if they are prayed more thoughtfully: I shall mean them more, if I see and intend their meaning more completely." Taking four vocal prayers that we repeat very often Father Lyons gives us great assistance in praying more thoughtfully. And which of us do not feel a sense of shame and inadequacy at the lack-lustre of our oft-repeated vocal prayers?

The prayers here chosen are the Our Father, Hail Mary, Hail Holy Queen, and the Anima Christi: all beautiful, all glorious, but with a glory dimmed by routine. This little book will help to restore to our minds the awareness that is so elusive, and to our hearts the desire for God that is in itself a powerful prayer. Taken phrase by phrase these vocal prayers will be a help to many in their morning or evening meditations: a book for the prie-dieu.

M.O.

Book Reviews

ANCIENT CHRISTIAN WRITERS. Vol. 26. ORIGEN: The Song of Songs—Commentary and Homilies. Translated and annotated by R. P. Lawson. Longmans, 1957. Price, 21/-.

Amongst the greatest ecclesiastical geniuses of all time, Origen, like Augustine and Aquinas, is surpassingly great. But his memory did not have the good fortune of those great thinkers. His speculative errors, which were the errors of a pioneer—for he was the first great theological systematizer—have dimmed his fame, deprived posterity of the greater part of the 6000 volumes which he is reputed to have written, and even thrown into the shade works of piety and spiritual theology, which had enormous influence on Christian asceticism and mysticism.

We can rejoice that the great didaskalos of Alexandria and Caesarea is, to a considerable extent, coming into his own in this present century. Since the condemnation of some of his theological errors at the end of the fourth and the middle of the sixth century, it was only rare scholars like Daniel Huet that busied themselves with Origen and Origeniana. During the last thirty years, however, one could name more than a dozen outstanding scholars in the realm of patristic literature who have devoted their talents and pens to the treasures enshrined in Origen's works. Dr. Quasten's Series of "Ancient Christian Writers" (A.C.W.) has taken a laudable part in the enterprise. In No. 19 of this series, Origen's Exhortation to Martyrdom and his treatise on Prayer have appeared in everyday, readable English. Now, in the present No. 26, we have from R. P. Lawson a translation of three exegetical "tomes"—that was Origen's name for them—on the Canticle of Canticles, and two Homilies on the same.

One remembers the advice: "In our reading we should give a decided preference to authors who have S. before their names." Under this rule we certainly cannot pass over Origen. The halo escaped him, but the reality of sanctity was there. From the cradle the boy Origen was regarded by his saintly father, Leonidas, as a temple of the Holy Ghost, and at the age of 17 the ardent son would have joined his father in martyrdom, if his mother had not hidden his clothes. Martyrdom was the dream of his life and in the persecution of Decius he got his share of it, without shedding his blood.

Origen had a great mind and it was a totally Christian, ecclesiastical mind with glowing love for Christ, firm devotion to the Church and to ecclesiastical tradition and, above all, unsurpassed love of the Scriptures, in every page of which he looked for Christ and the Church. One has only to read a few passages here, there or anywhere in the present volume to perceive the width and depth and height of Origen's piety.

Since the Greek texts of the great Master's Commentaries and Homilies on the Canticle have been lost, it is the partial Latin translation of three books of commentary (Cant. 1:1—2:15) made by Rufinus and the more careful version of two homilies (Cant. 1:1—2:14-15) from the hand of St. Jerome that are here offered in English speech. The Englishing is excellent, the notes are scholarly and abundant. The notes, however, should be read by themselves and not in conjunction with the text. The pages of text are really so delightful that their flavour will be spoiled by attention to foot-notes or back-notes.

In a short review we cannot give any details of the wonderful thoughts to be met with in Origen's Canticle. The Song is itself an allegory, a parable-allegory, and Origen frequently super-allegorizes the allegory; but even when we smile at the fancifulness, we are delighted with the richness of the author's imagination and above all with his amazing facility in the use of Scripture. Of course, not every one of Origen's splendid fantasies will suit the temper of a scientific age, but, in general, one can say that even what is not exegesis is poetry and piety and edification. Everything makes for the purpose that the Holy Ghost had in giving us this dramatic love-song, namely, the rousing and stirring of divine charity. In Origen's spiritual interpretation there is not the slightest murmur anywhere of any note not keyed to theological charity.

It would seem impertinent for a reviewer to expatiate in praise where St. Jerome, writing the preface to his translation of the homilies, addressed to Pope St. Damasus, pays unstinted tribute of enthusiastic praise. This is what he says:

"While Origen surpassed all writers in his other books, in his *Song of Songs* he surpassed himself. In ten full volumes, containing nearly twenty thousand lines, he expounded first the version of the Seventy, then those of Aquila, Symmachus and Theodotion, and finally a fifth, which he tells us that he found on the coast near Actium, and this exposition of his is so splendid and so clear, that it seems to me that the words, 'The King brought me into His chambers,' have found their fulfilment in him."

This St. Jerome said of the Commentaries. The Homilies, which he himself translated for Pope Damasus, are a more popular, a pulpit exposition. The two Homilies translated by the Holy Doctor cover the same ground—about one-fourth of the Canticle —as the three tomes translated by Rufinus.

The specific doctrines or doctrinal tendencies labelled as "Origenism" do not figure in these pages—if we except a mere suspicion of a hint in one place suggesting the pre-existence of souls. The book may therefore be read as spiritual reading "inoffenso pede." It will give delight and edification.

W.L.

SOURCES OF ST. THOMAS' CONCEPT OF NATURAL LAW, by Patrick M. Farrell, O.P., an extract from "The Thomist," 1957, pp. 237-294, published by the Dominican Fathers, East Camberwell, Victoria. Price 12/6.

The notion of the natural law is found very early in Western thought. Its philosophical basis was expressed by the Greeks, and among them by the poets in the first place. Homer and particularly Sophocles are clear witnesses; this latter poet in his play "Antigone"—written and performed about 441 B.C.—has memorable words on the subject; his heroine, addressing Creon, justifies her contravention of his edict forbidding the burial of her brother:

> "I did not think your edicts strong enough
> To over-rule the unwritten unalterable laws
> Of the gods in heaven, you being only a man,
> These laws are not of yesterday or to-day but everlasting,
> Though where they come from, none of us can tell.
> Guilty of their transgression before the gods
> I cannot be, for any man on earth." (lines 453-460)

Among the philosophers there was a clear concept of the natural law even as early as the beginning of the fifth century B.C. Our author lists all the fragments of the Pre-Socratics that deal with Justice, and his quotations make an impressive array. The development of the concept is then traced through Plato and Aristotle (who also quoted from Antigone's speech) and finally in the Stoics.

To the Romans is due the legal factor, built upon this philosophical foundation. Cicero, Gaius, Ulpian are scrutinized carefully and their contribution assessed; their work bore fruit in the codification of Justinian.

Finally, the Christian predecessors of St. Thomas are examined briefly, this period having been already treated definitively by authorities such as Grabmann.

From this study we can gain two chief benefits: we are able to appreciate how much of the development of St. Thomas' complete doctrine was due to the genius of the Angelic Doctor himself; we are made aware how ancient and well-founded is the consciousness of the Western world on this all-important question of the natural law. We are greatly indebted to our author for this clear exposition of the sources of St. Thomas' thought, and we recommend it strongly to our readers.

F.A.M.

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FATHERING FORTH, by John H. McGoey, S.F.M. The Bruce Publishing Co. 3.50 dollars.

This book, as advertised on the dust cover, is a "candid appraisal of the priesthood, its ideals and its problems." It does not enter into any theological discussion of the nature of the

Christian priesthood; neither is it a mere list of practical hints for the priest on the mission. Its purpose is practical. The author seemingly has in mind mainly the American clergy, but the necessary adjustments being made, the book could prove helpful to the clergy of Australia. I fancy, however, that the conditions the American priest has to face are more difficult than those in this country. That at least is the impression I get from the chapter on celibacy. Sexual morality seems to be looser in America than in Australia. But maybe I am out of touch with the reality of Australian conditions. Even so, I think his generalisation, "Chastity is martyrdom" is too sweeping. He does not seem to be restricting chastity to the specific sense of celibacy, nor to be using martyrdom in the original sense of bearing witness. Chastity is an obligation on all, married and celibate. He does hint that celibacy is a bearing witness in the original sense, and surely that is the raison d'etre of clerical celibacy. There are those, "who have made themselves eunuchs for the kingdom of heaven," and "everyone that hath left . . . wife or children . . . shall possess eternal life." Celibacy is a living testimony to the conviction, born of faith, that there is a supernatural and an after life.

There are obscurities marring the book and they are very irritating. Passages like the following are not rare: "Prudence is a matter of judgment, a trained judgment. That means possible erring on the side of right and wrong, facing the fact that no one is always right and few are always wrong" (page 92).

The author draws frequent attention to two sources of conflict in a priest's life. In the seminary there is a tension between the rector and the student; after ordination, it is between pastor and assistant. It is necessary for both parties in each association to maintain a correct attitude towards each other's position. The student's individuality is not to be crushed to a pulp; to deny the necessity of submission to authority is to deny original sin. Pastors should not look on all young priests as "smart alecs," nor should young priests look on all pastors as tedious old fools—yet there are immature and brash young men and cautious and tyrannous old men among the clergy.

Sanctity rather than piety he considers to be the goal of all priestly endeavour. He makes no attempt to define sanctity. And is he not right? Sanctity, like knowledge, cannot be defined; it can only be attained. His statement (taken from a lengthier 'old saying'), "a pious priest makes a worldly people" need not be very scandalous, for he means that usually a priest is just one step ahead of his people. He says that "Jansenism has been a long time dying. . . . One begins to wonder, too, if the people have been taught to appreciate the fact that although the sacraments work 'ex opere operato' the grace received is in proportion to the dispositions of the recipient." There is no royal road to sanctity, as the saints have learnt and taught. In a book in which the author has much to say on the practices that

go to make a holy priest, the two practices he seems to insist on most are patience and perseverance, neither of which can be practised without patient and persevering prayer.

This would be a good book for priests to read through on retreat and then afterwards to dip into from time to time.

T.P.C.

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THE SUNDAY SERMONS OF THE GREAT FATHERS. Vol I., from the First Sunday of Advent to Quinquagesima. Vol. II., from the First Sunday in Lent to the Sunday after the Ascension. Longmans, London, 1958. 436 pp. and 468 pp. Price: Vol. I., 20/6; Vol. II., 21/9. Translated and edited by M. F. Toal, D.D.

The first volume of this handy pocket format, beautifully presented and printed on 'Bible' paper, appeared in 1955 and was reviewed in the *A.C.R.* (October, 1956, pp. 376-77), to which readers are referred for a critical notice. The second volume (which also is to appear in a 'library' edition) is a further step forward in Dr. Toal's great undertaking. In the 30s of the last century Proudhon, the big-hearted French socialist whom Marx obliterated in Teutonic fashion, used to hawk books from French presbyteries to presbyteries, trying to make a living. In the course of his hard task, he was astonished to see how few of the Fathers won sales, compared with the ephemeral, sentimental preachers of the day at Saint-Sulpice and the Trinite. Dr. Toal has the noble ambition of winning back preachers to the works and sermons of the Fathers. Australians are a very practical people: they want the goods. Some of the performances of the Fathers in the lessons of the Breviary have not impressed. Dr. Toal is convinced the form was wrong, and he is out to prove it. St. John Chrysostom was a preacher. For 12 years at Antioch he studied the lives of the men and women in the cosmopolitan city on the Orontes. He was predominantly a moralist. He moved his hearers as only Demosthenes, Cicero and Bossuet have done. But it is a long cry to the fourth century. Dr. Toal's book is a very Australian plea for a 'fair go' for the Fathers. "I behold a new and wondrous mystery. My ears resound to the Shepherd's song, piping no soft melody, but chanting full forth a heavely hymn. The Angels sing. The Archangels blend their voice in harmony. . . . All join to praise this holy feast, beholding the Godhead here on earth, and man in heaven. He who is above, now for our redemption dwells here below; and he that was lowly is by divine mercy raised. . . . What shall I say to you; what shall I tell you? I behold a Mother who has brought forth; I see a Child come to this light by birth. . . ." Such is the opening of Chrysostom's sermon for Christmas morning, and in that classy effort there is meat for two or three

'regular' sermons. Turn over a few pages of Dr. Toal's book and we have the glorious Christmas sermon of St. Leo the Great, *The Mystery of the Nativity,* well known from the Breviary and an impressive performer: "Acknowledge, O Christian, the dignity that is yours! Being made a partaker of the divine nature, do not by an unworthy manner of living fall back into your former abjectness of life. Be mindful of Whose Head, and of Whose Body you are a member. . . ." So let the waters of the Orontes and the Tiber flow into and mingle with those of the Bogan and the Barcoo. When the second volume of the 'library' edition arrives, a critical review of the volume will appear in the *A.C.R.* But in the meantime, Dr. Toal has a bet to make that his Patristic sermons are winners. You can take up it for £2 and be on a good thing.

T.V.

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THE CHRISTIAN APPROACH TO THE BIBLE, by Dom Celestin Charlier, translated by Hubert J. Richards, L.S.S., and Brendan Peters, S.T.L. Sands and Co., London, 1958. 298 pp. 18/- stg.

This book appeared in the original French as far back as 1949. Hence it cannot be described as a new book. But it is by no means a dated book either—despite the rapid progress which recent years have witnessed in the field of Biblical studies. It is the outcome of a series of discussions conducted under the patronage of the Monks of Maredsous in Belgium, and Dom Charlier claims to be no more than a spokesman for the whole group. The translators have accomplished their task exceedingly well.

The book covers a vast field, giving attention to such diverse subjects as the Languages of the Bible, The Geographical Background (an excellent little chapter), Inspiration and Canonicity, Literary Forms, The Semitic Mentality (an indispensable study for any student of the Bible), and the Bible in its relation to Science, History and Faith. Yet, notwithstanding such expanse and diversity in a book of only 300 pages, one finds it neither disjointed nor superficial.

Its professed aim is to encourage popular reading of the Bible and to aid the popular reader in understanding the Bible. But whatever it says on that score seems to be in the nature of "window dressing," because one rather gathers the impression that the book is addressed directly to those modern Scripture scholars who are so taken up with the mechanics of interpretation that they have forgotten what they are trying to interpret. It is a gentle but insistent reminder that the understanding of the Bible belongs chiefly to the realm of the Spirit and that archaeology, palaeontology, anthropology and the rest must be kept in their proper place! It is a decided vote in favour of the

early Fathers who, if they lacked many of the aids and much of the knowledge at the disposal of modern scholars, were possessed of an over-all attitude to the Scriptures which we of the 20th century might well envy.

The author draws a telling parallel between the Eucharist and the Bible. Each is an incarnation of the Word, each constitutes the Bread of Life, and where one communicates the Word that is Life, the other communicates the Word that is Light. This very beautiful analogy runs like a theme through the whole book. Some might protest against the extravagance of the language, but after all it is only an analogy—and the author stresses that point. There is no attempt to make of the Bible an eighth Sacrament!

"The Christian Approach to the Bible" is written with great and refreshing conviction. It has about it a sense of urgency—it is a book with a mission. It is for this very reason, however, that the style often becomes rather oratorical, and just a little irritating.

The tone of the concluding chapters is delightfully forthright. We read, for example, that "the man who likes his religion in concentrated form, to be taken like a vitamin pill during his half-hour of meditation, will not feel at all happy when he is faced with the stories of the Patriarchs and the Genealogies of the book Chronicles." And showing himself to be no respecter of persons, the author declares that "many of the exegetes of the 19th century lacked common sense as much as they lacked faith. Having neither, their strenuous labours produced a great deal of nonsense." Elsewhere he says: "One shudders to think of the harm that is done in the name of Bible History. Most manuals of Scripture ought to be burned. They are full of ideas which are enough to shatter the children's faith when they grow up." And discreetly he adds: "Nuns especially have much work to do in this respect."

This is hardly a beginner's book. Much of it requires careful and thoughtful reading. But for anyone prepared thus to read it, it is a mine of information and edification, and for many a Scripture scholar it should provide the occasion for a little profitable soul-searching.

E.B.C.

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LITTLE STEPS TO GREAT HOLINESS, by the Rev. C. Hugo Doyle (London: Sands & Co. 1957. 264 pp. 15/- stg.)

The twelve conferences in this book were written for Religious, and whether they are read as private reading or aloud in the refectory they should give pleasure and profit. The author draws many of his examples from the Old Testament, and the trans-atlantic verve of his comments seasons the discourse. For instance, in the chapter, *Turning back to Egypt*, he quotes from

the Book of Numbers: "We remember the fish that we ate in Egypt, free cost. The cucumbers come into our mind and the melons, and the leeks, and the onions and the garlic." Father Doyle observes: "Who in his right mind could ever imagine that such a gastronomical nightmare would appear so attractive as to cause the Chosen People to prefer an indigestible free salad to God's will and freedom?" A trifle over-written, perhaps; still, he makes his point.

The conferences give us the impression of personal talks to nuns, or, rather, to groups of nuns. Father Doyle is widely read in the spiritual classics and he shares his reading with his hearers, many of whom must have been wryly amused by his practical applications. Speaking of unity in religious houses, he makes the comment: "Many a superior who points with personal pride to the new liturgical altar she placed in the chapel, or to the redecoration of the parlor or community room as triumphant demonstrations of her financial genius and super-knowhow, ought not to take solo bows. In all justice she should share credit, for instance, with the Sister-cook in the kitchen who helped save the money for the improvements by stretching the coffee. . . . "

The conference entitled *Crossroads* is engrossing and touching in its unusual treatment of an unusual theme. The author takes the life of St. Paul as sketched out in the Acts of the Apostles, fixing our attention on the three lives of Felix, Festus and Agrippa—at the point where St. Paul's life crossed theirs. Each lost the opportunity offered by God through St. Paul —an opportunity of a change of heart. As Father Doyle remarks: "Had any one of these three taken what God sent him, taken it at the time, let the conviction work, suffered the loss of all things to win Christ, how different the chronicle would read this day!"

M.O.

* * * * *

GOSPEL MEDITATIONS, by Alfred O'Rahilly, M.A., D.Sc., D.Ph., D.Litt. (Browne & Nolan Ltd., pp. 286. Price 18/- stg.)

Although the author of this book has distinguished himself by his scholarship in many fields, the Gospels have nevertheless remained his first and greatest love. This is a collection of one hundred meditations on Gospel themes. The events are arranged in chronological order, and each occupies two or three pages of large print.

The method adopted by Dr. O'Rahilly in this work is most suitable to his subject. He has avoided any division of each meditation into "points," and all listing of "affections" or "resolutions." Instead, he places the Gospel incident before the reader in simple terms, and by paraphrase or brief comment brings out its spiritual significance. He suggests lines of thought rather than dictates conclusions. The brevity and accuracy of the comment throws the Gospel text itself into relief, and the

impression left is that Dr. O'Rahilly has said little, but that the evangelist's words now say much more. Either within the text or in short notes, historical questions receive due comment; but this has been wisely limited to cases in which it throws some significant light on the spiritual meaning of the text.

The following may serve as an example of Dr. O'Rahilly's method. On the Ecce Homo he writes: "Pilate, too, was the unconscious mouthpiece of deep significance when he said: Here is the Man. As we hear these words across the ages they come to us charged with a deeper meaning. The phrase has been taken up, made the text of sermons and meditations. Depicted in art, the scene has melted innumerable hearts. Every age has its ideal type of man: the Roman stoic, the Pharisaic legalist, the Renascence humanist, the creedless liberal gentleman, the mass-conditioned Communist. But here in this scene was a new ideal of manhood; here was the one Man who has supremely mattered in the world's history. Since that day myriads have bowed down before the man of sorrows."

Such comment brings the Gospel event itself under the spotlight, while at the same time remaining simple and practical. These qualities merit a high commendation for this book as a source both of mental prayer and Gospel discussion. And we may look forward to the "more detailed study of the Life of Our Lord" which Dr. O'Rahilly promises us in his preface.

B.H.

* * * * *

BEFORE MASS, by Romano Guardini. Translated from the German by Elinor Castendyk Briefs. (Longmans, Green & Co., London. 1957. XIV + 203 pp. 10/9. Australian retail price.)

Monsignor Guardini is well-known for his successful life of Christ: 'The Lord,' which established him as a writer of keen perception and stimulating originality. He has gone to the trouble of thinking things out anew, so that he has succeeded in eschewing the multitude of time-worn phrases from his writings, that tend to paralyse the mind.

The author himself sums up his intention in writing the book in the following words: 'This book has been entitled "Before Mass," and its aim is to present for reflection—each time from a different angle—thoughts inducive to a fuller participation in the sacred celebration.' (p. 96).

Part One is headed 'Sacred Bearing' and is concerned with "the attitude necessary to allow for and preserve full participation." (p. 115). This is acquired through three essential qualities of the mind and heart, viz. 'Stillness,' which is 'the tranquillity of the inner life; the quiet at the depths of its hidden stream. It is a collected, total presence, a being "all there," receptive, alert, ready.' (p. 5). The second quality is termed 'Composure' or being 'really present; with body and mind and soul, with attention, reverence, love.' (p. 22). Finally, full

participation demands 'Silence' which 'opens the inner fount from which the word rises.' (p. 11).

Part Two is headed 'The Essence of the Mass' and 'considers the Lord's memorial, not for the sake of theoretical information, but in order to prepare us for the holy act.' (p. 115).

The critic cannot agree with the author's recommendation that 'when the Mass threatens to become a habit for someone who goes regularly during the week, it is certainly advisable to go less frequently . . . for a while.' (p. 99). The abundant 'ex opere operato' Grace that flows from the Mass by far out-weighs the bad disposition that results from habit. Furthermore, no matter how strongly 'the Mass may threaten to become a habit,' it is only when the Mass-goer willingly gives in to the habit, that there is any harm done; otherwise, he gains all the more merit for his struggle.

'Before Mass' is well worth reading because it outlines simply and clearly, exactly what is required for 'a fuller participation in the sacred celebration.'

L.B.

* * * * *

FUNDAMENTAL CHILD PSYCHOLOGY, by Justin Pikunas (Bruce Publishing Co., Milwaukee, 1957; pp. 259; 45/-).

To anyone interested in the study of child psychology, this book, written by an Associate Professor of Psychology at the University of Detroit, is excellent. Although Dr. Pikunas appears, from his enormous bibliography, to have read everything that could possibly have any bearing on the subject, yet he does not swamp his reader with technicalities. The book is so simply expressed, so orderly and attractive in its presentation, and so easy to read, that a person without any previous psychological knowledge need have no hesitation in attacking it.

Dr. Pikunas has divided the book into four parts. The first two are of an introductory nature and descriptive nature, dealing with the basic concepts needed for understanding and tracing the physical progress of the child through the various phases of prenatal life, infancy and childhood growth.

The problem of the basic aspects and dimensions of the child's personality is tackled in Part III and in this section the author is able to show very clearly the inter-relationship of the physical, mental, emotional and spiritual aspects of maturation. In an effective section on emotional growth he points out the kinds of frustration which can cause disturbed behaviour in a child. All these factors then determine the child's subsequent socialization.

Part IV has been entitled "Personality, the Self and Child Guidance." In this section, Dr. Pikunas discusses the presence of innate factors in personality and the conditioning by environment. If the conditioning be unsatisfactory the child may become maladjusted and need treatment, especially, if the innate characteristics are unstable ones. He points out some of the

important principles in mental hygiene—physical fitness, self control, facing reality, unselfishness, aiming at mature conduct, moderation of excitement, acquisition of moral and religious values. He suggests counselling or psychotherapy if any signs of mal-adjustment occur.

In reading this book, not only does one acquire a knowledge of the all round development of the child, but suggestions are given all round about the best methods of training and caring for him. Each chapter is followed by a series of questions and he has used a number of excellent little case histories and diagrams to illustrate these points. It would seem that this book would provide an excellent little text for study for a Parent Group, a group of teachers or of religious—in fact for all those whose whole vocation in life is the training, teaching and mothering of children.

M.McH.

* * * * *

PERSON TO PERSON: A RECIPE FOR LIVING, by William Lawson, S.J. Longmans, 10/6 net.

"There is a growing skill throughout the world in the management of matter, so that small boys can understand the principle of jet propulsion; but knowledge of human value and concern for human beings is diminishing at a frightening rate," says Father Lawson, and he is so concerned about this lack of knowledge that he has written this book as a plea for us to turn our minds towards a proper and Christian understanding of the human personality. Many people see only the surface ugliness and turn their eyes away in disgust, but "the error underlying all depreciation of human beings is failure to see the person as a whole."

The way that a man acts, the things he says, all these outward signs may not give one any understanding of him, unless one knows that "inner reality of being with its splendours of freedom and immortality." In this modern world that inner reality of being is so frequently stifled and unable to achieve its fruition because of the deadening effects of rationalism, of industrialization, of socialization and of unsound psychologies which deny free will.

He makes a special plea to those in charge of training religious and begs them not to stifle the personalities in their care. He sees the relationship between the novice and the master as one in which each interacts for the personal perfection of each. Each must recognise the other's inward struggle for self possession, for perfection. Neither must make neurotic demand on the other, thus hindering his progress, and the one in authority must be especially careful of this.

It is from this inner reality that the dignity of the human person is derived and through it one builds up one's under-

standing and love of other human beings. A man needs to know himself and his strengths and weaknesses. He needs to know others, he needs (and has a right to) a satisfying job. He needs family relationship and he needs to love because the main business of life is to love—to love God and to love one's neighbour. Only in the achievement of these things does man fulfil his whole personality and draw supernatural life to his full capacity.

M.McH.

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THE APPARITION AT KNOCK—A SURVEY OF FACTS AND EVIDENCE, by Rev. Michael Walsh. The Leinster Leader Limited, Eire, 136 and iii.

"Knock is at once a fact and a problem." So said the Archbishop of Tuam, who approved of Father Walsh's book. Father Walsh in a readable and scientific way has set down the fact and examined the problem of Our Lady's apparition at Knock, Ireland, in 1879 and has left us the information on which we too can make a decision.

After giving the historical background both of Ireland as a whole and of Knock in 1879 in particular, Father Walsh describes the apparition stated to have occurred on August 21st, 1879, outside the parish church at Knock. After a short survey of Catholic teaching on supernatural manifestations, he describes the Commission set up by the Archbishop of Tuam to examine the evidence concerning the apparition, and gives the depositions taken from the witnesses. The Commission found that the witnesses were to be considered "upright and trust-worthy."

In a matter-of-fact way, Father Walsh then conducts a scientific enquiry on the evidence of the witnesses and later evidence and rules out all natural explanations—fabrication, deception and imagination. He examines the nature of what was seen, the character of the witnesses, and the reported cures. He comes to the conclusions: that no natural cause explains the apparition; a preternatural cause is probable; the moral test excludes the devil; and a divine origin is indicated.

The reaction of the Irish and other Catholics throughout the years has been devout and prayerful. Some seemingly spurious imitations of the authentic apparition are examined and by contrast enhance the latter's value. The unfortunate association of the "Nun of Kenmare" with the Shrine is examined and found not to harm the good of the Shrine. The character of the parish priest of the 1879 Knock and the attitude of the clergy are examined; the modern history and devotion are examined now that they have persisted despite opposition, to the present approval.

There are four illustrations; a schematic illustration of the apparition figures and of their relation with the church gable is lacking and would help one to visualize the scene.

Thus does Father Walsh sift the wheat from the chaff; he sets out to examine the material left by the witnesses and draws conclusions from it on scientific principles. He respects truth and makes no exaggerations.

The book is a worthy contribution to the literature on the Knock Shrine (which Father Walsh lists). It would be useful to anyone interested in the Knock Shrine in particular or apparitions of Our Lady or others in general.

A.R.

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